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Wednesday, February 16, 1966
Magha 27, 1887 (Saka)

LOK SABHA DEBATES

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LOK SABHA SECRETARIAT
NEW DELHI

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*The sign + marked above the name of a member indicates that the question was actually asked on the floor of the House by him.

LOK SABHA

Wednesday, February 16, 1966/Magha 27, 1887 (Saka)

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

Kidnapping of Policeman in Delhi

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*31. **Shri Yashpal Singh:**
Shri Hukam Chand Kachhavaiya:
Shri Bade:
Shri Ram Sewak Yadav:
Shri Bagri:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that a Policeman was kidnapped by some goondas with the help of a truck driver in Delhi on the 23rd December, 1965;

(b) if so, the details thereof; and

(c) the action taken by Government to protect the public servants on duty?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): (a) No, Sir,

(b) and (c). Do not arise.

श्री यशपाल सिंह : क्या सरकार ने उन न्यूजपेपर्ज के खिलाफ कोई कार्रवाई की है जिन्होंने इस झूठी खबर को सैकड़ों जगह छापा है ?

Shri P. S. Naskar: Some incident did occur. It is not exactly the one as

was reported in the newspapers. On the 22nd and 23rd December, there was a drive against traffic violations. On the night of 23rd December, in the Alipore and Mori Gate area, a Head Constable saw a truck driving towards Alipore Road from Mori Gate area without the light and the truck seemed to be overloaded. Then, the Head Constable asked the truck driver to stop the truck. The driver did not stop the truck. But after some distance, another Constable stopped that truck and got into the truck and he asked the driver to stop the truck. He put some questions to him and in the meantime the truck driver did not stop the truck, and the Constable was in the truck. They even tried to put the Constable down but they could not do so. The Constable was trying to stop the truck. In the meantime, a patrol van was passing that way and the patrol van stopped the truck and arrested the driver and three other persons who were in the truck. The Constable was wounded a little bit in his left toe.

श्री यशपाल सिंह : जितना लम्बा जवाब दिया गया है क्या इतना लम्बा सप्लीमेंटरी करने की मुझे भी इजाजत दी जाएगी ?

Shri Kapur Singh: I rise on a point of order. Is there any provision in the Rules of Procedure of this House which can justify the wastage of the time of the House on a question which does not arise?

Mr. Speaker: There is no provision that I can point out but supplementaries can arise even when the answer is that the question does not arise.

Shri Kapur Singh: Out of nothing, nothing can arise. (*Interruption*).

श्री यशपाल सिंह : उस ट्रक वाले के खिलाफ क्या कोई एक्शन लिया गया है ?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): A criminal case has been launched against him.

श्री हुकम चन्द कछवाय : क्या यह पता लगाया गया है कि उस ट्रक में कौन सा माल था ? क्या वह चोरी का तो नहीं था ? ट्रक किस का था और उसके मालिक का नाम क्या है ?

अध्यक्ष महोदय : इस तफसील में जाने का हमारा क्या मतलब ?

श्री हुकम चन्द कछवाय : ट्रक में क्या माल था जिसके कारण वह ट्रक को नहीं रोक रहा था ?

अध्यक्ष महोदय : वह इससे नहीं उठता है ।

श्री बड़े : पब्लिक सर्वेंट्स जो हैं उनके खिलाफ गुंडे सक्रिय होरहे हैं और गुंडा एलीमेंट बढ़ रहा है । क्या इसके बारे में, इस एलीमेंट को रोकने के बारे में सरकार ने कुछ ठोस कदम उठाये हैं । अभी कुछ दिन हुए मधु लिमये साहब के घर पर चोरी हो गई थी । गुंडा एलीमेंट जो बढ़ रहा है, इसको रोकने के लिए क्या सरकार ने कोई कदम उठाया है ?

अध्यक्ष महोदय : यह भी कैसे आप पूछ सकते हैं इस सवाल में ?

श्री हुकम चन्द कछवाय : दूसरे भाग का तो उत्तर दिया जाए कि ट्रक के मालिक का नाम क्या था ।

अध्यक्ष महोदय : मालिक का नाम जानने से क्या लाभ होगा ? सप्लीमेंटरी का उसका जवाब आना चाहिये जिससे कोई मालिक परपज सर्व होता हो । ए. बी. सी कोई भी नाम हो इससे क्या फायदा निकलेगा ?

Separation of Executive from Judiciary

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*32. **Shri Yashpal Singh:**
Shri Balmiki:
Shri Bagri:
Dr. Ram Manohar Lohia:
Shri Ram Sewak Yadav:
Shri Kishen Pattnayak:
Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:
Shri Gulshan:

Will the Minister of **Home Affairs** be pleased to state:

(a) the progress so far made in the separation of Executive from Judiciary;

(b) the names of States where it has taken place; and

(c) the time by which the separation is likely to be completed in the remaining States?

The Deputy Minister in the Ministry of Home Affairs (Shri V. C. Shukla): (a) and (b). The Judiciary has been completely separated from the Executive in Gujarat, Kerala, Madras, Maharashtra and Mysore. It has also been separated over large areas of Andhra Pradesh, Bihar, Madhya Pradesh, Orissa, Punjab and Uttar Pradesh and in some of the Districts of Assam and Rajasthan.

(c) No target date has been fixed. The matter is primarily for the State Governments to consider.

श्री यशपाल सिंह : क्या यूनियन टैरिटरीज में सरकार ने यह कर दिया है ?

श्री विद्या चरण शुक्ल : जी हां, कई स्तरों पर अभी किया गया है और कई जगह हो रहा है । दिल्ली में इस मामले को आज ही एडवाइजरी कमेटी के सामने पेश किया जा रहा है । हिमाचल प्रदेश में भी इसे एडवाइजरी कमेटी के सामने पेश किया जाएगा । गोआ, दमन, दीव वगैरह में इसके बारे में सिद्धान्ततः एक निर्णय लिया गया है और उसको जल्दी लागू कर दिया जाएगा । अंदमान निकोबार

वगैरह में बहुत कम क्राइम हैं । वहां भी इस बारे में सोच विचार किया जा रहा है ।

श्री यशपाल सिंह : जिन स्टेट गवर्नमेंट्स ने अब तक नहीं किया है उन्होंने क्या दिक्कतें जाहिर की हैं ?

श्री विद्या चरण शुक्ल : कोई दिक्कतें जाहिर नहीं की हैं । सिद्धान्ततः सब इसको मानते हैं । कुछ प्रैक्टिकल मुश्किलात हैं और उनको हल किया जा रहा है । हमें आशा है कि काफी जल्दी इसके बारे में और प्रगति हो जाएगी ।

Shri Kapur Singh: Do the Government propose to separate judiciary from the politicians and politics and, if so, when?

Mr. Speaker: Shri U. M. Trivedi

Shri Kapur Singh: He is a very able Deputy Minister. He can answer.

श्री उ० मू० त्रिवेदी 1950 में हमारा संविधान लागू हुआ था । उसको लागू हुए आज सोलह साल के करीब हो गए हैं । सोलह साल तक जो तकलीफ और मुश्किल हमको आज मालूम पड़ती है ज्यूडिशरी को एग्जेक्टिव से अलग करने के बारे में क्या इसको हल नहीं किया जा सकता था ? अगर आप हल कर सके हैं तो क्या यह सही नहीं है कि उन्हीं राज्यों में खास तौर पर आप हल कर सके हैं जहां पहले से ज्यूडिशरी एग्जेक्टिव से अलग थी ? दूसरे राज्यों ने क्या आपत्ति इस सम्बन्ध में अभी तक आपके सामने जाहिर की है ?

श्री विद्या चरण शुक्ल इस दिशा में काफी प्रगति हुई है । यह बात कहना ठीक नहीं है कि पहले से ही कुछ राज्यों में यह अलग थी । यह तो सब——

श्री उ० मू० त्रिवेदी : क्यों सही नहीं है ? बराबर सही है । मध्य भारत के अन्दर थी, बम्बई में थी । क्यों सही नहीं है ? गलत जवाब दे रहे हैं ।

अध्यक्ष महोदय उनका जवाब पूरा सुन तो लें ।

श्री उ० मू० त्रिवेदी : कैसे आदमी हैं ?

अध्यक्ष महोदय : इतने सीनियर मैम्बर हैं, पता नहीं इतनी जल्दी क्यों नाराज हो जाते हैं । आपने कहा है कि सिर्फ उन राज्यों में हुआ है जहां पहले से ही था । शायद उनका जवाब हो कि यह गलत बात है और कुछ राज्यों में जहां यह हुआ है वे नए राज्य भी हैं । जवाब सुनने के पहले ही आप नाराज हो गए ।

श्री विद्या चरण शुक्ल : मैं नामों को बता सकता हूं जिन को भिन्न भिन्न प्रदेशों में यह हुआ है । बैरिस्टर साहब के मुख्य प्रश्न के बारे में मैं इतना ही कहना चाहता हूं कि इस दिशा में प्रगति काफी हुई है और कुछ प्रान्तों में थोड़ा सा काम बाकी है । इसके लिए भी गृह मंत्रालय द्वारा बड़ी कोशिश की जा रही है और हमें आशा है कि जल्दी इसके बारे में काफी प्रगति हो सकेगी ।

श्री हुकम चन्द कछवाय : कौनसी वो नाइयां हैं ?

Mr. Speaker: He has said in reply to an earlier question that there has been no difficulty.

Shri R. Ramanathan Chettiar: Some of the States have not implemented the scheme. What are the reasons for the delay in implementing the scheme?

Shri V. C. Shukla: There is no scheme as such. But there are certain States which have decided to implement this in stages. There is no difficulty except the practical difficulties, the local difficulties, in backward areas where it has not been found possible to implement it straightway

as is done in advanced areas. It will be completed in due course.

Shri S. Kandappan: May I know whether the Government propose to expedite the creation of a separate judiciary for Andaman & Nicobar Islands and, if so, when it is likely to be effected?

Shri V. C. Shukla: The incidence of crimes in Andaman & Nicobar is very meagre. Still we have taken some steps to do that there also.

श्री शिव नारायण : क्या कोई फाइनल डिसिशन ले लिया गया है कि सारे देश में ज्युडिशरी को अलग आप कर देंगे या नहीं ?

श्री विद्या चरण शुक्ल : जी हां, यही इरादा है ।

Shri S. M. Banerjee: I would like to know which are those States which have implemented the scheme or are likely to implement and which are those States which have refused to do so.

The Minister of Home Affairs (Shri Nanda): No State has refused. The progress in some States has been more rapid than in some others. I can say that I would like this to be completed very quickly all over. We are in communication with the States. In some cases they have expressed their difficulties. I hope it will be speeded up.

श्री भागवत झा आजाद : माननीय मंत्री और उपमंत्री ने बताया है कि सिद्धान्ततः इस को स्वीकार कर लिया गया है, लेकिन इस सम्बन्ध में व्यवहारिक कठिनाइयां है । मैं यह जानना चाहता हूं इस को सिद्धान्ततः स्वीकार करने के बाद और व्यवहारिक कठिनाइयों को ध्यान में रखते हुए क्या राज्य सरकारों के लिए कुछ समय-निर्धारण किया गया है, जिस के अन्तर्गत वे इस को पूरा कर लेंगे ।

श्री विद्या चरण शुक्ल : ऐसा कोई समय निर्धारित नहीं किया गया है, लेकिन हमारी तरफ से राज्य सरकारों को बार-बार कहा जाता है कि वे इस बारे में जल्दी करें । जो प्रगति हो रही है, उस से लगता है कि कुछ मानों में यह कार्य पूरा हो जायेगा ।

Shrimati Savitri Nigam: The Union Territories being the direct responsibility of the Central Government, may I know why after such a long time this subject is going to be introduced in the Advisory Committee? May I know whether it had ever been introduced previously or not, and if not, what was the difficulty in doing it earlier?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): It is not that this question is going to be raised today in the Delhi Advisory Committee. Actually, the Bill has been drafted and the Bill is being discussed today in the Advisory Committee.

श्री जगदेव सिंह सिद्धान्ती : क्या सरकार को सूचना मिली है कि पंजाब राज्य में इस थक्करण की प्रक्रिया से प्रशासन में कुछ बाधा आई है ?

श्री विद्या चरण शुक्ल : जी नहीं । ऐसी कोई सूचना नहीं मिली है ।

M/s Bennet Coleman & Co. Ltd.

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*33. **Shri Indrajit Gupta:**
Shri Bagri:
Dr. Ram Manohar Lohia:
Shri Yashpal Singh:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No. 581 on the 1st December, 1965 and state:

(a) whether the Attorney-General has advised legal proceedings against the accused persons in the case of

criminal misappropriation by M/s Bennet Coleman & Co. Ltd., Bombay;

(b) if so, whether Government have accepted his advice and are proceeding accordingly; and

(c) if not, what other steps Government propose to take in the matter in the light of the C.B.I.'s findings?

The Deputy Minister in the Ministry of Home Affairs (Shri V. C. Shukla): (a) No, Sir.

(b) Does not arise.

(c) The matter is under consideration.

Shri Indrajit Gupta: I want to know specifically whether this matter was referred to the Attorney-General for his advice, and if so, whether the report of the Attorney-General will be laid on the Table of the House.

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): The matter was referred to the Attorney-General and he has given some advice. We are proceeding on that advice and carrying on the investigation. But I do not think that that advice can be laid on the Table of the House.

Shri Indrajit Gupta: In view of the fact that there are wide reports circulating that an attempt is being made privately between Shri Shanti Prasad Jain and other members who are involved in this misappropriation and the Government to hush up this matter, may I know whether it is a fact....

Shri Vidya Charan Shukla: It is not a fact.

Shri Indrajit Gupta: I have not finished my question yet. I want to know whether the Law Ministry and the Law Minister were also asked for their opinion in this matter and if so, what their advice was, and whether they suggested that legal proceedings should be undertaken or not.

Shri Hathi: Yes, both the Law Ministry and the Law Minister were consulted and they advised further investigation in the matter, as also the Attorney-General.

डा० राम मनोहर लोहिया : बैनेट कोलमैन के अखबारों में इन दिनों एक परिवर्तन आया है कि सरकार और उस के खास-खास मंत्रियों के लिए रुख नर्म हुआ है। क्या इस कारण से इन के खिलाफ कार्यवाही बन्द है ?

श्री विद्या चरण शुक्ल : जी नहीं।

श्री यशपाल सिंह : जब किसी सरकारी अधिकारी के खिलाफ एन्क्वायरी होती है, तो पहले उसे सस्पेंड किया जाता है। जब इतना बड़ा कांड हो गया, तो क्या उन का लाइसेंस अब तक जब्त किया गया है या नहीं और सस्पेंशन हुआ है या नहीं ?

Shri Hathi: The point is this. When an inquiry against any official is being conducted, if the crime is so serious, then, of course, he is suspended. In this matter, in regard to the offence, whichever has been committed, the extent to which the persons are to be held responsible is a matter for further investigation, and, therefore, we are going on with the investigation.

Shrimati Renuka Ray: Will the hon. Minister state how long this investigation is going to take and when the House will know about the final decision?

Shri Hathi: It is now in the stage of being concluded, and it would not take much long time.

Shri Bhagwat Jha Azad: Since it is a case of criminal misappropriation, may I know why Government are allowing this impression to go round that due to certain reasons and pres-

sure these things are not clearly decided earlier?

Shri Hathi: I think that this impression is not correct.

Shri Bhagwat Jha Azad: We are happy to know that. But why is there this delay?

Shri Hathi: I shall tell my hon. friend the reasons for the delay; when the investigations are complete, I shall be able to tell this House why further investigation was needed, and what facts, as advised by the Attorney-General, were to be investigated further; I shall let the House know then, but not now.

Shri D. C. Sharma: Is it not a fact that there is an apprehension in the minds of many persons that by the time the investigations are completed most of the documents which incriminate these persons would have disappeared from the files?

Shri V. C. Shukla: No, Sir, these documents are in our possession. This fear is completely unfounded.

Shri Hem Barua: May I know if it is a fact that since Shri Nanda was meticulous about checking corruption for which purpose he utilised the services of the CBI, this particular department has been taken out of his control and transferred to the Minister of State; if so, may I know whether this particular case is going to get the same attention as it used to have under Shri Nanda?

The Minister of Home Affairs (Shri Nanda): Sir, I may inform the House that I have not been relieved of this onerous responsibility.

Shri Hem Barua: Was there any attempt to relieve him of this responsibility?

Mr. Speaker: No, attempts are not to be discussed.

Shri Kapur Singh: Particularly, unsuccessful attempts.

Shrimati Renu Chakravartty: In view of the fact that there is a very wide knowledge amongst people in general that Shri S. P. Jain is a very powerful man and holds much influence over the ruling party, I would like to know why Government has taken such an unconscionably long time in taking the steps which would have brought them to book. What is the reason for the delay? That is the point. He is not explaining that.

Mr. Speaker: Shri Hathi has said that he would explain it. When that is completed he would give the reasons.

Shrimati Renu Chakravartty: For the last six months they are giving the reply, "Yes, no; yes, no".

Shri P. Venkatasubbaiah: Before ordering a further probe into the allegations of misappropriation has the Government been fully satisfied that there is a *prima facie* case of misapprorpiation; if that is so, what action has been taken on that?

Shri V. C. Shukla: Because we are satisfied we ordered this investigation.

Shri S. M. Banerjee: The hon. Minister, Shri Hathi, in reply to a question by Shri Indrajit Gupta, said that the ex-Law Minister was also consulted and that he had given his advice. I would like to know whether it is a fact that the advice given by the ex-Law Minister was somewhat different from that of the Attorney-General; if so, in what respect.

Shri Hathi: As I said, I would not like to place on the Table the advice given. This is cross-examination.

श्री रामेश्वरानन्द : जिस किसी रेलवे कर्मचारी के प्रति कोई शिकायत की जाती है, तो उस की जांच के लिए जो इंस्पैक्टर आदि जाते हैं, वे उस के साथ मिल जाते हैं

और सारे मामले को टाप कर देते हैं। क्या उन की जांच का भी कोई विचार है ?

अध्यक्ष महोदय : यह सवाल एक फर्म के बारे में है। माननीय सदस्य वहां से चल कर गाड़ी में सवार हो गए।

Shri Daji: Do these proceedings also include the charges regarding the sale as waste of newsprint given to the company?

Shri V. C. Shukla: The charges are exactly those about the sale of waste newsprint.

Disappearance of Shri Kakodkar

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*34. **Shri K. N. Tiwary:**
Shri P. R. Chakraverti:
Shri Indrajit Gupta:
Shri Subodh Hansda:
Shri S. C. Samanta:
Shri Bhagwat Jha Azad:
Shri M. L. Dwivedi:
Shri P. C. Borooah:
Shri Vishram Prasad:
Shri Bagri:
Dr. Ram Manohar Lohia:
Shrimati Savitri Nigam:
Shri Shree Narayan Das:
Shri Prakash Vir Shastri:
Shri Jagdev Singh Siddhanti:
Shri Yashpal Singh:
Shri Madhu Limaye:
Shri Hukam Chand Kachhavaiya:
Shri Bade:
Shri Kajrolkar:
Shri Kindar Lal:
Shri Vishwa Nath Pandey:
Shri Hari Vishnu Kamath:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether the **Mysore State** Government requested the Central Government to probe into the mysterious disappearance of Shri Kakodkar, President of the Goa Congress;

(b) whether any investigation has been conducted by the Central agencies; and

(c) if so, the findings thereof?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) Yes, Sir.

(b) Central agencies are assisting the Maharashtra Government in the investigation.

(c) Investigation has not yet been concluded.

श्री क० ना० तिवारी : यह जांच कब तक पूरी हो जायेगी ?

Shri Hathi: I cannot give any definite time for this.

श्री क० ना० तिवारी : कौन सी एथारिटीज के द्वारा यह जांच कराई जा रही है ? क्या इस में महाराष्ट्र और मैसूर दोनों सरकारों के प्रतिनिधि शामिल है ?

श्री हाथी : जी, हां। महाराष्ट्र सरकार, मैसूर सरकार और सैंट्रल गवर्नमेंट के आफिसर्ज जांच कर रहे है।

Shri Indrajit Gupta: In the course of the investigations carried on so far, has any *prima facie* evidence come to light at least to indicate whether Shri Kakodkar is alive or dead?

Shri Hathi: So far as the investigations carried on are concerned, it appears that he was last seen on 1-1-1966 at Junagadh.

Shri Subodh Hansda: Has Government's attention been drawn to a rumour that Shri Kakodkar has gone into hiding on his own in some places? If so, how far is it true?

Shri Hathi: Investigations are going on and, as I said, we have been told from the investigations carried on so far that he was seen at various places, mostly places of pilgrimage such as Veraval, Somnath, Porbander, Jamnagar and Junagadh.

Shri Hem Barua: If he was seen why was he not caught?

Shri U. M. Trivedi: Why was he not photographed?

Shri Hathi: When I say 'he was seen', that does not mean that he was seen by the police. Other people had seen him.

Shri U. M. Trivedi: Is there any reason to believe that that information is wrong?

Mr. Speaker: Unless called, he should not ask questions.

Shri S. C. Samanta: Is any investigation also going on in Goa? If so, what is the reaction of the Goa Government?

Shri Hathi: Yes, investigations are also going on in Goa. The result will be known after they are completed.

श्री भागवत झा आजाद : क्या सरकार जांच के बाद किसी निर्णय पर आ सकी है कि काकोदकर साहब स्वयम् लापता हो गये हैं या उन्हें उड़ा लिया गया है या उन्होंने आत्म हत्या कर ली है । क्या किसी ऐसे आधार पर इन्वेस्टिगेशन चल रहा है या कि वैसे ही अन्धकार में विचरण चल रहा है ?

श्री हाथी : अन्धकार में विचरण नहीं चल रहा है जो डाकुमेन्ट्स और चिट्ठियां आदि मिली हैं उसमें दोनों बातें हो सकती हैं कि उनकी मेन्टल कंडिशन ऐसी थी कि वह बाहर जाना चाहते थे या अकेला जीवन बिताना चाहते थे ।

श्री म० ला० द्विवेदी : जिन परिस्थितियों में काकोदकर साहब गायब हुए उन में कई प्रकार की स्थितियां मंत्री महोदय ने बतलाईं । मैं जानना चाहता हूं कि केन्द्रीय सरकार द्वारा जो जांच पड़ताल शुरू की गई है वह किस सरकार के कहने से या किन बातों के आधार पर आवश्यकता पड़ी कि इन्वेस्टिगेशन किया जाये ।

श्री हाथी : एक तो मैसूर गवर्नमेंट ने लिखा था, और हमने भी यहां सुना कि वह डिसऐपिअर हो गये हैं सेंट्रल इन्वेस्टिगेशन ब्यूरो ने उनकी तलाश की है ।

श्री विश्राम प्रसाद : बतलाया कि काकोदकर साहब कई जगहों पर पुलिस द्वारा नहीं बल्कि दूसरे आदमियों के द्वारा देखे गये । अगर वह दूसरों के द्वारा देखे गये तो आपकी पुलिस ने उनका पता लगाने या पकड़ने के लिये क्या कार्यवाही की ?

श्री हाथी : बात ऐसी है कि जब पुलिस को हमने इन्वेस्टिगेशन सौंपा कि वह कहां है तो उनको पता नहीं लगा । उसके बाद एक गोआ का आदमी सोमनाथ गया था, उस ने उन्हें देखा था । उसको पता नहीं था कि वह गायब हो गये हैं । जब वह गोआ आया और कहा कि उसने देखा था, उसके बाद पुलिस ने उसको ट्रेस करने की कोशिश की । उनको एक होटल में देखा गया फिर एक धर्मशाला में देखा गया, ऐसा मालूम हुआ । पकड़ने की बात नहीं उठी ।

डा० राम मनोहर लोहिया : जब केन्द्रीय सरकार और दो अन्य सरकारें भी इस खोज में लगी हुई हैं और खोज करते डेढ़ हफ्ते हो गये हैं तो जनता में भ्रम पैदा हो रहा है कि राजकीय कार्यवाही को छिपाने के लिये सरकार खुद इस खोज में ढील डाल रही है । सरकार इस भ्रम को दूर करने के लिये क्या कार्यवाही कर रही है ?

श्री हाथी : कार्रवाई तो यही है कि जो तलाश हो रही है वह हो रही है ।

डा० राम मनोहर लोहिया : अध्यक्ष महोदय, क्या आप समझते हैं कि मंत्री जी ने सवाल का जवाब दे दिया ?

अध्यक्ष महोदय : आप तो मुझसे ही सवाल करने लगे ।

डा० राम मनोहर लोहिया : आप प्रश्न का जवाब दिलवायें यह भी जरूरी काम है ।

अध्यक्ष महोदय : मैं मिनिस्टर साहब से कहूंगा कि इसका जवाब लाजिमी तौर पर पूरा दिया जाना चाहिये ।

गृह-कार्य मंत्री (श्री नन्दा) : मैं जवाब देना चाहता हूं । यह बात स्पष्ट है कि पूरे तौर पर इस वक्त भी कोशिश की जा रही है और कामयाबी हो रही है और एक जगह से दूसरी जगह उनको फालो किया जा रहा है । इसलिये यह मान लेना कि इस काम में ढील की जा रही है, गलत है । इसी तरह से हम किसी चीज को छिपाना चाहते हैं यह बात भी सही नहीं है ।

डा० राम मनोहर लोहिया : जनता में जो भ्रम है उसको दूर करने के लिये मंत्री महोदय क्या कर रहे हैं मेरे इस प्रश्न का यह उत्तर नहीं है कि जनता में भ्रम नहीं है ।

अध्यक्ष महोदय : मैं समझता हूं कि प्रश्न का जवाब आ गया ।

Shrimati Savitri Nigam: What has been the view of the family members of Shri Katodkar? Are they of the the view that he has gone for pilgrimage quite well prepared?

Shri Hathi: From the letters which we have received addressed to the family members, it appears—I will only say, but what I say will not be conclusive, because investigations are going on—that he wanted to retire to some village and leave the work of the Khadi Commission and Congress and all that. That is the trend which appears from the letter.

श्री प्रकाशवीर शास्त्री : श्री कटोडकर के लापता हो जाने के मूल कारण से सम्बद्ध जो प्रश्न है वह गोआ के विलय के बारे में है जिसके आधार पर मैसूर सरकार ने आपको लिखा है और आपने जांच की है । क्या केन्द्रीय सरकार इस मूल प्रश्न के ऊपर भी किसी निर्णय पर पहुंच चुकी है जिससे किसी दूसरे कटोडकर के लापता होने की सम्भावना न हो ?

श्री नन्दा : इसके बारे में पार्लियामेंट में भी कहा गया था । उसके बाद खास हालात की वजह से इस मामले को अभी तक बन्द रक्खा हुआ है, और उनको आप जानते ही हैं । जब सब चीजें खुलेंगी तब यह भी खुल जायेगा ।

श्री जगदेव सिंह सिद्धान्ती : श्री कटोडकर की गोआ में जो हालत है, क्या सरकार की प्रतिक्रिया से पंजाब में भी वैसे ही हालात नहीं पैदा हो जायेंगे ?

अध्यक्ष महोदय : नहीं हो जायेंगे ।

श्री यशपाल सिंह : क्या सरकार यह बतला सकती है कि जब कांग्रेस प्रेजिडेंट का इस तरह से अपहरण किया जा सकता है तो आम जनता की हिफाजत के लिये सरकार ने वहां क्या किया है ?

अध्यक्ष महोदय : यह सवाल पैदा नहीं होता ।

श्री हाथी : क्या हुआ है इसका पता तो जांच के बाद लगेगा ।

अध्यक्ष महोदय : पहले मिनिस्टर साहब को मेरी तरफ देख लेना चाहिये । मैं अलाऊ करूं तब जवाब देना चाहिये ।

श्री मधु लिमये : मैं जानना चाहता हूं कि राजनीतिक आन्दोलन को खत्म करने के लिये जो प्रादेशिक झगड़े हैं उनको उकसाने का सरकार का प्रयत्न है या राजनीतिक आन्दोलनों के आधार पर उन का निचोड़ निकालने के लिये भी कोई सरकार का इन्तजाम है ?

अध्यक्ष महोदय : आन्दोलन का सवाल इस प्रश्न के सम्बन्ध में कैसे आ सकता है ?

श्री मधु लिमये : उनकी हत्या निकालने की प्रक्रिया क्या है ?

श्री हुकम चन्द कछवाय : मंत्री महोदय ने प्रश्न के उत्तर में बतलाया कि कटोडकर साहब गुजरात में किन्हीं स्थानों पर देखे गये । मैं जानना चाहता हूं कि वह तारीख कौन सी थी जिस रोज वह वहां देखे गये थे । क्या उनके परिवार के लोगों से कोई व्यक्तिगत बातचीत भी की गई है । यदि हां, तो उन लोगों की क्या प्रतिक्रिया हुई ?

श्री हाथी : अन्तिम तारीख जिस दिन वह देखे गये थे वह 1 जनवरी, 1966 थी ।

अध्यक्ष महोदय : माननीय सदस्य जानना चाहते हैं कि जो उनके परिवार के आदमी थे क्या उन से भी कोई बातचीत पुलिस ने की है ।

श्री हाथी : बातचीत की है लेकिन इस तारीख के बाद नहीं, उस के पहले ।

श्री बड़े : मैं जानना चाहता हूं कि 1 जनवरी के बाद पुलिस ने इन्वेस्टिगेशन करके आपके पास कोई रिपोर्ट भेजी है और 1 जनवरी के बाद कोई इन्वेस्टिगेशन हुआ है ?

श्री हाथी : इन्वेस्टिगेशन हुआ है और रिपोर्ट भी आई है । किसी और जगह उनका पता नहीं लगा है ।

Shri Kajrolkar: Is there any political motive behind his alleged disappearance?

Shri Hathi: I cannot say anything about that.

Shri Hari Vishnu Kamath: Has the attention of Government been drawn to the very unseemly vituperative slanging match between some politicians in power in Mysore and some politicians in power in Maharashtra, on this issue, and if so, has the Government advised these politicians in power not to allow their love for Goa to take them to such lengths? Because it is an emergency, Government could advise the politicians in the States, the ministers and the government in the States not to indulge in such things, so that bad blood is not created in the States on this issue. Have they advised the Governments? That is what I want to know.

Shri Nanda: If one person expresses deep concern and another person gives an assurance that everything is being done about it, that is one part of it. So far as the manner of the language, etc. is concerned, certainly we are desirous that everything should be done in the most decorous way.

Shri Hari Vishnu Kamath: I could not follow.

Mr. Speaker: The short point is whether any advice had been given to the government?

Shri Nanda: No, Sir.

Status of High Court Judges

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*35. **Shri Warior:**
Shri K. N. Tiwary:
Dr. L. M. Singhvi:
Shri Indrajit Gupta:
Shri Rameshwar Tantia:
Shri Himatsingka:
Shri P. R. Chakraverti:
Shri Madhu Limaye:
Shri Yashpal Singh:
Shri P. C. Borooah:
Shri Bhagwat Jha Azad:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shri Kindar Lal:
Shri Vishwa Nath Pandey:
Shri Ram Sewak Yadav:
Shri Bagri:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that Government have rejected the Supreme

Court Committee's recommendations that High Court Judges be ranked with the Cabinet Ministers; and

(b) what other recommendations of the Committee comprising of three Supreme Court Judges have been considered by Government and with what results?

The Deputy Minister in the Ministry of Home Affairs (Shri V. C. Shukla): (a) and (b): A statement is laid on the Table of the House. [*Placed in Library. See* No. LT-5450/66].

Shri Warior: May I know who constituted the committee and if it was the Government, what were the terms of reference?

Shri V. C. Shukla: The committee of judges was not constituted by the government.

Shri Warior: If it is the Supreme Court Judges who constituted this committee, may I know why all their recommendations except one were not accepted by the government and whether the government has got any cogent reasons for refusing to accept all these recommendations?

Mr. Speaker: The reasons would not be discussed here.

Shri V. C. Shukla: The recommendations are in two parts—one about the rank in the order of precedence and the other regarding the conditions of service of High Court judges. It has been explained that the government was not desirous of disturbing the order of precedence which was settled after very long consideration. The conditions of service mainly relate to financial matters and these recommendations were not found practicable or acceptable to the government.

श्री क० ना० तिवारी : यह स्टेटमेंट जो टेबल पर रखा गया है इसमें नम्बर 2 पर है कि :

The age of retirement of High Court Judges should be raised to 65 years.

और चौथे नम्बर पर है :

The High Court Judges T. A. Rules should be amended so as to provide for certain travel facilities which are not included at present.

तो कम से कम यह दो रेकमेंडेशंस जो इनकी हैं इनको मान लेने में सरकार को क्या दिक्कत है, क्या आप कृपा कर बतलायेंगे ?

The Minister of Home Affairs (Shri Nanda): May I say a word about this that will possibly make it unnecessary for Members to ask other questions of some kind at least? I have had some talks with the Chief Justice of India and I am again going to have further discussion so that possibly anything more that could be done might be considered. May I explain that these refer to 1963 recommendations of that committee and it is an old matter. There have been certain recent developments.

Dr. L. M. Singhvi: The summary manner in which these recommendations have been dealt with by the government have done a great deal to undermine the status if the judiciary. At what level were these recommendations considered? Were they considered by the Cabinet as a whole?

Shri V. C. Shukla: I do not agree that these recommendations were dismissed in a summary manner. They were fully considered and considered by the Home Minister and government. Greatest consideration was given to these recommendations and only when they were not found acceptable, they were rejected.

Dr. L. M. Singhvi: Mr. Speaker, on a point of order. My question has not been answered. I asked whether these were considered by the government.

Mr. Speaker: When he says that they were considered by the Home

Minister, it implies that the whole cabinet did not consider it.

Shri Ranga: Home Minister and the cabinet are not one and the same. Did the Home Minister think it fit to be placed before the Cabinet?

Mr. Speaker: The answer given was that the Home Minister considered it; it implies that the Cabinet as a whole did not consider it.

Shri Ranga: We are seeing how the Cabinet is working.

Shri Indrajit Gupta: Apart from the first recommendation relating to the matter of precedence, all the other recommendations as I understood from the original reply involve certain financial considerations. In view of the fact that this committee obviously had the approval of, if it was not actually constituted by, the Chief Justice of India, did the Government consider that these recommendations, although they involve financial commitment, could not have been put forward in any frivolous or lighthearted manner, and were they given proper consideration?

Shri Nanda: I have indicated already that I am having a discussion with the Chief Justice of India, and we are trying. What more can be done about it?

श्री मधु लिमये : मैं यह जानना चाहता हूं कि न्यायाधीशों को कभी कभी वक्ती तौर पर राज्यपाल के पद पर नियुक्त किया जाता है और न्यायाधीश के सेवा से हटने के पश्चात् कभी कभी उनको राजदूत बनाया जाता है, मंत्री भी बनाया जाता है। यह प्रश्न न्यायाधीशों के स्थान और प्रतिष्ठा के सम्बन्ध में है इसलिए क्या जो इस तरह की कार्य प्रक्रिया है उसके ऊपर सरकार पुनर्विचार करेगी कि न्यायालय के किसी भी निवृत्त न्यायाधीश को आगे राजदूत नहीं बनाया जायेगा, मंत्री नहीं बनाया जायेगा और न राज्यपाल के पद पर उसकी नियुक्ति होगी ?

अध्यक्ष महोदय : यह सवाल नहीं उठता ।

श्री मधु लिमये : यह तो स्थान और प्रतिष्ठा से सम्बन्धित है । न्यायाधीशों की ऐसी नियुक्ति करने से न्यायालयों की प्रतिष्ठा, स्वतंत्रता और पवित्रता को धक्का पहुंचता है, केवल मंत्रीयों के बराबर का स्थान उनको न देने से नहीं । मैं इस प्रश्न का जवाब इसलिए . . . .

अध्यक्ष महोदय : मैंने सुन लिया । श्री यशपाल सिंह ।

श्री यशपाल सिंह : क्या सरकार बता सकती है कि आर्डर आफ प्रिसीडेंस जो है यह अंग्रेजों का बनाया हुआ है और अब समाजवाद आ चुका है । फायर फील्ड ऐंड नो फेवर । तो अंग्रेजों ने तो यह इसलिए किया था कि साम्राज्यवाद को जो जितना मजबूत करता था वह उतना ही ऊंचा समझा जाता था । . . . (व्यवधान) अब मान लीजिये कि कालेज के स्टूडेंट के ऊपर यह इम्प्रेशन हो जाता है कि प्रिंसिपल के ऊपर कोई है तो क्या अनुशासन का निर्माण हो सकता है (व्यवधान) यह बतलाइए कि अंग्रेजों के आर्डर आफ प्रिसीडेंस और आपके आर्डर आफ प्रिसीडेंस में कितना चेंज हुआ है ?

Shri V. C. Shukla: This question is not about the order of precedence as such.

अध्यक्ष महोदय : आप इतनासब कहते चले गये । अनुशासन का जिक्र भी करते रहे और आप अनुशासन की परवाह भी नहीं करते रहे ।

श्री भागवत झा आजाद : मैं यह जानना चाहता हूं कि सरकार ने इस निर्णय पर पहुंचने से पहले क्या यह देखा कि संसार के विभिन्न देशों में उच्चतम न्यायालय के न्यायाधीशों को मंत्री के पद पर रखने की परिपाटी अधिकतर जगहों में है या नहीं ?

अध्यक्ष महोदय : यह तो दूसरा सवाल हो गया ।

श्री भागवत झा आजाद : मेरा मतलब . .

Mr. Speaker: No; I have already disallowed it.

Shri S. C. Samanta: May I know whether the remaining six items which were considered by Government will be reconsidered in view of the comments made in the newspapers now?

Shri V. C. Shukla: Yes.

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Shri Subodh Hansda: Since the Minister stated that this committee was not constituted by the Government, how are the suggestions made by this committee regarded by Government as recommendations?

Shri V. C. Shukla: These were the recommendations forwarded to the Government by the Judges Committee.

श्री विश्वनाथ पाण्डेय : जैसा कि मंत्री महोदय ने अपना वक्तव्य सभा के सम्मुख प्रस्तुत किया है, उसमें उन्होंने लिखा है कि सिर्फ आइटम 7 को उन्होंने स्वीकृत किया है और बाकी को अस्वीकृत किया है । तो मैं यह जानना चाहता हूं कि जब देश में इस तरीके से महंगाई है और जजों ने सिफारिश की है कि हाईकोर्ट के जजों की तनख्वाह बढ़ा दी जाय तो क्या सरकार इस पर विचार करने को तैयार है ?

गृह-कार्य मंत्री (श्री नन्दा) : एक बात मैं साफ कर दूं कि यह जो अखबारों का जिक्र हुआ यह 1963 में जो रेकमेंडेशंस आयी थीं वह अखबारों में आ गई । धर्मा का मामला तो बाहर रखना ही नहीं था क्योंकि जजेज ने लिखा कि उसको कान्फिडेंशियल रखना है और यह पे वगैरह का उसमें था । मगर हर भी हर एक चीज को सोचना होता है ।

Shri Daji: The first recommendation is that the appointment of judges of the high courts should emanate from the President's Secretariat as in the case of Governors and not from the Home Ministry. This recommendation involves no financial commitment but it only involves the complete independence of the judges. May I know why this recommendation was not accepted?

Shri V. C. Shukla: There is some little misunderstanding about this problem. Actually, the warrant of appointment is signed by the President but the notification for the appointment of Governors is issued by the State Government concerned, whereas the notification of appointment of judges is issued by the Home Ministry. The President's Secretariat only issues the press communique. It is not correct to say that the communique about the Governors' appointment is issued by the President and about judges it is not done.

Visit of UNESCO Mission

*36. **Shri K. N. Tiwary:**
Shri Ram Sewak Yadav:
Shri Bagri:
Shri P. R. Chakraverti:

Will the Minister of **Education** be pleased to state:

(a) whether an evaluation mission of UNESCO visited India to assess the impact of assistance to the centres of advanced study in the Indian Universities;

(b) how far the recommendations of the mission endorsed the continuance of the assistance programme and its augmentation;

(c) whether the Governments of India and U.K. have agreed on a programme of collaboration between the centres of advanced study in Indian Universities and institutions of higher learning in U.K.; and

(d) if so, the extent of assistance likely to be secured, specially with regard to the supply of equipment, books and journals?

The Minister of Education (Shri M. C. Chagla): (a) No. Sir.

(b) Does not arise.

(c) Yes, Sir.

(d) A statement is placed on the Table of the House.

Statement

The programme envisages the following:

(a) Visits by British scientists and scholars to Centres of advanced Study in Indian Universities.

(b) Visits of senior personnel of the Centres of Advanced Study to the U. K. for short periods.

(c) Provision of training facilities and fellowships for Indian personnel in institutions in the U.K.

(d) Supply of certain specialized equipment required by the Centres.

So far 8 experts from the U.K. have visited Centres of Advanced Study and 9 Indian Scientists and Scholars have gone to the U.K. to visit laboratories and Institutions. Neither the total number of scientists and scholars who will participate in the programme during 1965-66 and 1966-67 nor the extent of equipment, books and journals likely to be supplied under the agreement can be estimated at this stage.

श्री क० मा० तिवारी : यह जो स्टेटमेंट रखा गया है उस में दिया गया है कि कार्यक्रम निम्न प्रकार है :—

(क) ब्रिटिश वैज्ञानिकों तथा विद्वानों द्वारा भारतीय विश्वविद्यालयों के उच्च अध्ययन के केन्द्रों के दौरे ।

(ख) उच्च अध्ययन के केन्द्रों के वरिष्ठ अधिकारियों द्वारा इंग्लैंड का अल्पकालीन दौरा ।

मैं यह जानना चाहता हूं कि केवल इंग्लैंड के साथ ही अदलाबदली हो रही है या और भी कोई दूसरे देश है जिनके कि साथ उन विद्वानों और वैज्ञानिकों की अदलाबदली हो रही है ?

Shri M. C. Chagla: This question deals with U.K. and I have answered the specific mode of assistance from U.K. We have also similar programmes with other countries. For instance, U.S.S.R. has also sent us experts to visit the centres of advanced study.

श्री क० मा० तिवारी : इंग्लैंड की संस्थाओं में भारतीय कर्मचारियों के लिए प्रशिक्षण सुविधाएं तथा अधिछात्रवृत्तियों की व्यवस्था हो तो इसके लिए क्या व्यय किया गया है और कितनी रकम इस के लिए रखी गई है ?

Mr. Speaker: What amount has been allocated for this purpose?

श्री क० मा० तिवारी : छात्रवृत्ति के लिए और प्रशिक्षण के लिए क्या क्या सुविधाएं दी जा रही हैं और उन का क्या कार्यक्रम है ? और उन में कितनी धनराशि रखी गई है ?

Shri M. C. Chagla: The position is this, 23 foreign experts are to visit the centres for 104 man-months during 1965-66 and 26 experts for 142 man-months during 1966-67. 24 Indian experts are to visit U.K. for 159 man-months during 1965-66 and 26 experts for 184 man-months during 1966-67. Equipment, books and journals valued at Rs. 40 lakhs—Rs. 18 lakhs in 1965-66 and Rs. 22 lakhs in 1966-67—are likely to be provided.

Shri Sham Lal Saraf: May I know whether besides exchange of scholars and technicians, there is some attempt to set up training institutions based on the benefits that would be derived from the visit of foreign experts?

Shri M. C. Chagla: The whole scheme of centres of advanced study is this. The U.G.C. decides which particular faculty in a university has risen to a certain height and then to assist that faculty to reach international standards. The agreements arrived at with different countries are to help the centres of advanced study with professors, experts and so on.

श्री म० ला० द्विवेदी : इंग्लैंड के अलावा क्या कामैनवैल्थ का कोई और दूसरा देश ऐसा है जिस से इस सम्बन्ध में सहयोग का प्रस्ताव किया गया हो या वहां से ऐसा प्रस्ताव आया हो; यदि हां, तो वह कौन कौन देश है और वहां पर इस किस्म की सहायता क्यों नहीं दी गई ?

Shri M. C. Chagla: For the time being, we have restricted our operations to U.K. and USSR. We will certainly explore the possibilities of approaching other Commonwealth countries.

Shri D. C. Sharma: May I know if any assessment has been made of the tangible results produced by the visits of these gentlemen abroad on the Indian universities and on the advanced centres of study?

Shri M. C. Chagla: The results are extremely good. There has been no specific evaluation. UNESCO wanted to do it early this February but the mission's visit has been postponed.

Haldia Oil Refinery

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*37. **Shrimati Renuka Barkataki:**
Shrimati Renu Chakravartty:
Shri R. G. Dubey:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shri P. C. Borooah:
Shri M. L. Dwivedi:
Shri Bhagwat Jha Azad:
Shri P. R. Chakraverti:
Shri K. N. Tiwary:
Shri Onkar Lal Berwa:
Dr. L. M. Singhvi:
Shri D. N. Tiwary:
Shri Vishwa Nath Pandey:
Shri Ravindra Varma:
Shri R. S. Pandey:
Shri Rajeshwar Patel:
Shri Yashpal Singh:
Shri Kajrolkar:
Shri R. Barua:
Shri B. K. Das:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether the Government of India have succeeded in finding a cheaper crude oil supply source for the proposed Haldia Oil Refinery;

(b) whether the American Oil Company—Socony Mobil has agreed to make modified offer for the supply of crude;

(c) whether the Company proposed to give credit to cover the foreign exchange content of the Refinery; and

(d) whether Government have engaged M/s Engineers India, Ltd. to do the entire engineering and designing works of the Refinery?

The Deputy Minister in the Ministry of Petroleum and Chemicals (Shri Iqbal Singh): (a) to (c). Discussions on the various proposals given to Government are still in progress. It is too early to analyse the other details.

(d) Does not arise.

Shrimati Renuka Barkataki: May I know what are the main offers of collaboration that have been received and how many of these include supply of crude oil at a lower price and offers to cover the foreign exchange content of the project?

Shri Iqbal Singh: There are three proposals with the Government, and

it is too early to say anything regarding the other details.

Shrimati Renuka Barkataki: Does any of these offers of collaboration also include the proposal to set up a petro-chemical complex at Haldia at a later stage?

Shri Iqbal Singh: That is also under discussion.

Shri S. C. Samanta: May I know whether the Central Government has asked the State Government and the Calcutta Port Commission to make facilities like road and other things there?

The Minister of Petroleum and Chemicals (Shri Alagesan): Already there is a road under construction and the State Government are taking various steps in that connection. The Railways are also trying to construct a railway line.

Shri Subodh Hansda. With regard to the crude offered by the American Oil Company, may I know how it compares with our crude, the crude obtained at Gujarat and other places of the country?

Shri Iqbal Singh: When things are finalised everything will be considered. It is too early to say how it compares with the crude offered, and it will not be advisable to disclose this information at this stage.

श्री म० ला० द्विवेदी : इस रिफाइनरी में कुल कितने व्यय का अनुमान है और अभी तक कितना काम हो चुका है ?

Shri Alagesan: No work has yet been done. It is too early to indicate the cost.

श्री म० ला० द्विवेदी : ऐस्टिमेट क्या है वह उन्होंने नहीं बतलाया ?

अध्यक्ष महोदय : वह अभी उन के पास नहीं है ।

Shri Bhagwat Jha Azad: Does not Government think it too early to ask for these details when the very coming up of Haldia Oil Refinery has been shelved to the background even in the Fourth Plan?

Shri Alagesan: I do not know how the hon. Member makes that assumption. It is very much under consideration for inclusion in the Fourth Plan, and we propose to go ahead with it. It has not gone to the background as the hon. Member assumes.

श्री क० ना० तिवारी : क्या यह सारा काम मेसर्स इंजीनियर्स इंडिया लि० कर रही है या दूसरे कोई इंजीनियर्स भी यह काम कर रहे हैं, यदि हां, तो वह कौन कौन हैं ?

श्री इकबाल सिंह : जब प्रपोजल्स फाइनलाइज हो जायेंगे उस के बाद मेसर्स इंजीनियर्स इंडिया लिमिटेड की बात आ सकती है लेकिन उस वक्त तक कोई सवाल इस का नहीं आ सकता है ।

श्री ओंकार लाल बेरवा : मैं यह जानना चाहता हूं कि किन किन विदेशों से सहायता के लिए बातचीत की है ?

श्री इकबाल सिंह : सहायता की बातचीत तीन देशों से हो रही है, रूमानिया, अमरीका और फ्रांस में ।

Dr. L. M. Singhvi: As at present conceived, what would be the foreign exchange component of this project and how is it proposed to be met?

Shri Alagesan: That is also an estimate. I am not able to give an estimate in any rough manner. The foreign exchange cost is likely to be 60 per cent of the total cost, and the parties who have offered to collaborate will produce foreign exchange either by way of equity or by way of loans.

श्री क० ना० तिवारी : क्या यह सही है कि हल्दिया में तेल शोधन के अतिरिक्त फर्टिलाइजर्स बनाने की बात तय हो गई है

पैर उस को बरौनी पर प्रीफेंस दिया जा रहा है ।

श्री इकबाल सिंह : आशा तो यही है कि अगर हल्दिया रिफाइनरी मुकम्मल हो जाय तो वहां पेट्रोलाइजर्स भी बनाया जायेगा ।

Shri D. N. Tiwary: Sir, I asked whether Haldia will be given preference over Barauni.

Shri Alagesan: There is no question of giving preference to Haldia over Barauni. Even at Barauni we are considering the question of construction of a fertilizer factory. The Russians have offered to do it after some years.

श्री विश्वनाथ पाण्डेय : क्या सरकार ने कच्चे तेल के संभरण के लिए अमरीकी तेल कम्पनी के अलावा और किसी देश की कम्पनी से भी परामर्श किया था ?

श्री इकबाल सिंह : यह तीन प्रपोजल्स तीन देशों की तरफ से आये हैं । इन तीन पार्टियों के अलावा और कोई नहीं है ।

Shri R. S. Pandey: The hon. Minister said that the Government of India is considering proposals from three countries. I want to know which of the countries have given favourable terms?

Shri Alagesan: There are three parties—a joint offer by one American and German Company, another by Industrial Export of Rumania and a third by a French Company.

Mr. Speaker: Which country has given more favourable terms?

Shri Alagesan: That we cannot disclose.

श्री यज्ञपाल सिंह : क्या यह सही है कि सब देशों से नहीं पूछा गया है और थोड़े से मुल्कों से पूछा गया है—जहां से हमें अधिक लाभ हो सकता था वहां से नहीं पूछा गया है ?

Shri Alagesan: We invited proposals and these are the three parties which have offered to collaborate. There is no question of our not asking anybody.

Shrimati Renu Chakravartty: May I know whether in the modified offer which has now been made by the parties Government have demanded that they will have control over marketing and pricing? Can we be assured that the terms in this case at least would be completely in favour of India and not like what they have done in the case of fertilizer?

Shri Alagesan: We will certainly take care to see that the terms are as favourable to India as possible. The hon. Member knows what has been done in the case of the Madras refinery. There we have obtained the most favourable terms. We propose to do it in the case of this also.

Shri Hem Barua: In view of the fact that new oil fields are being discovered in Assam, are we to understand that the Government are contemplating to pipeline this crude oil from Assam fields for refining in the proposed Haldia refinery? In that context, may I know whether Government are aware of the fact that there is a serious demand in Assam to have a second refinery in the public sector to refine crude oil discovered in these new oil fields?

Shri Alagesan: The hon. Member has asked so many questions.

Mr. Speaker: The second one need not be answered.

Shri Alagesan: Already there is a crude pipeline leading from Assam to Barauni. It will be too early to say whether crude will be sent through the pipeline that will be extended to Haldia.

Shrimati Savitri Nigam: May I know whether it is a fact that a very good offer has been made by a country where no foreign exchange is in-

volved but Government themselves have not been able to take a decision whether they want sophisticated machinery or ordinary prevalent machinery and they have not been clear as to from which country they are going to purchase crude oil?

Shri Iqbal Singh: Government is quite clear on this subject. We are considering all aspects of all the proposals. We will accept that proposal which is most favourable to India.

Mr. Speaker: Shri Kachhavaiya.

Shrimati Savitri Nigam: Sir, my question has not been answered.

Mr. Speaker: They are considering all the proposals including the one that has been suggested by the hon. Member.

श्री हुकम चन्द कछवाय : क्या सरकार ने इस बात का पता लगाया है कि आप हमें तेल की कितनी कमी महसूस होती है और यह कारखाना खुलने के बाद हम कितनी कमी पूरा कर पायेंगे और कितनी बचेगी ? मैं यह भी जानना चाहता हूं कि कारखाना खोलने के सम्बन्ध में जो विचार किया जा रहा है, इस पर कम से कम कितना समय लगेगा ?

श्री इकबाल सिंह : यह कहना बड़ा मुश्किल है कि कितना समय लगेगा । लेकिन गवर्नमेंट ने तेल की कमी की सिलसिले में देखा है कि कुछ बातों में तेल की कमी पूरा हो जायेगी और कुछ बातों में फिर भी कमी रहेगी, जिस के बारे में हम सोचते रहेंगे ।

Administrative Reforms Commission

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*38. **Shri Kishen Pattnayak:**
Shri K. N. Tiwary:
Shri P. R. Chakraverti:
Dr. Ram Manohar Lohia:
Shri Madhu Limaye:
Shri Bagri:
Shri Linga Reddy:
Shri D. C. Sharma:
Shri D. N. Tiwary:
Shri P. C. Borooah:
Shri Vishram Prasad:
Dr. L. M. Singhvi:
Shri Narayan Reddy:
Shri M. L. Dwivedi:
Shri Bhagwat Jha Azad:
Shri Subodh Hansda:
Shri S. C. Samanta:
Shri Prakash Vir Shastri:
Shri Hukam Chand Kachhavaiya:
Shri Jagdev Singh Siddhanti.
Shri Lahtan Chaudhry:
Shri Rameshwar Tantia:
Shri Hhatsingka:
Shrimati Savitri Nigam:
Shri S. M. Banerjee:
Shri Yashpal Singh:
Shri Vishwa Nath Pandey.
Shri Bibhuti Mishra:
Shri Onkar Lal Berwa:
Shri R. Barua:
Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:
Shri Basumatari:
Shri R. S. Pandey:
Shri M. L. Jadhav:
Shri Shiv Charan Gupta.
Shri J. B. S. Bist:
Shrimati Ramdulari Sinha:
Shri Indrajit Gupta:

Will the Minister of Home Affairs be pleased to state:

(a) whether Government have taken final decision regarding the proposal to set up a Commission on Administrative Reforms;

(b) whether the composition, scope and methods to be adopted by the Commission will be made known to the public, providing them with the opportunity for discussion on the model of the Hoover Commission in U.S.A.; and

(c) whether the Commission will take up the entire gamut of administrative problems from the Union to district level, including the Services?

The Minister of State in the Ministry of Home Affairs and Minister of

Defence Supplies in the Ministry of Defence (Shri Hathi): (a) to (c). The resolution of Government regarding the setting up of the Administrative Reforms Commission; a copy of which is laid on the Table of the House (Placed in Library. See No. LT-5461/66), gives the necessary information. The Commission is expected to devise its own procedures for collecting data and evidence.

श्री किशन पटनायक : क्या इस कमीशन के कार्य में इसलिए गतिरोध पैदा हुआ है कि कमीशन के चेयरमैन ने कमीशन के लिए कैबिनेट की हैसियत और अपने लिये प्रधान मंत्री या उप-प्रधान मंत्री की हैसियत की मांग की है ?

श्री हाथी : उन्हों ने प्रधान मंत्री के पद की तो मांग नहीं की है । उन्हों ने मांग की है कि उन का स्टेटस पर्याप्त ऊंचा होना चाहिए ।

गृह-कार्य मंत्री (श्री नन्दा) : इस सम्बन्ध में यह सवाल उठता है कि इस कमीशन को अपना काम अच्छी तरह से कर सकने की पोजीशन हासिल हो । उस के लिए जो भी जरूरतें हैं, उन सब का खयाल किया गया है ।

Shri S. M. Banerjee: Sir, I rise on a point of order. The question asked by Shri Kishen Pattnayak was simple. He asked whether it is a fact that whatever delay has taken place is due to the fact that the Chairman of the Administrative Reforms Commission wanted a certain status. That has not been replied to either by Shri Hathi or by Shri Nanda. We want a specific answer to that.

Shri Nanda: The question of rank has arisen in the context of the functions of the Commission and it is not as such only.

श्री किशन पटनायक : अगर प्रशासन को बदलने का पक्का इरादा है, तो क्या सरकार ने इस परिवर्तन के लिए कोई नीति-वक्तव्य भी प्रस्तुत किया है यानी किन चहारदीवारी के क्रान्तिकारी परिवर्तन होगा, परिवर्तन में मुख्य चीजें क्या होंगी, इस की कोई रूपरेखा बनाई है ?

श्री हाथी : रेजोल्यूशन को पढ़ने से माननीय सदस्य को मालूम हो जायेगा कि इस कमीशन को क्या-क्या काम करना है ।

श्री क० ना० तिवारी : प्रेस में यह रिपोर्ट छपी है कि इस कमीशन के कई सदस्यों ने इस्तीफे दे दिये हैं और एक सदस्य मिनिस्टर बन गए हैं, इसलिए इस कमीशन का फिर निर्माण होगा । क्या यह बात सही है और इन मैम्बरों के इस्तीफा देने का क्या कारण है ?

श्री हाथी : इस कमीशन के एक मेम्बर साहब मिनिस्टर बन गए हैं । इसलिए कमीशन में जो जगह होगी, उस के लिए जरूर कार्यवाही की जायेगी ?

श्री क० ना० तिवारी : प्रेस में यह रिपोर्ट है कि श्री मायुर और दूसरे सदस्य ने इस्तीफा दे दिया है । अगर यह सही है, तो उस का क्या कारण है ?

श्री नन्दा : यह बात गलत है ।

श्री हाथी : किसी ने इस्तीफा नहीं दिया है ।

डा० राम मनोहर लोहिया : प्रशासन में सुधार लाने के लिए यह कमीशन बनाई गई है या जिन लोगों को सरकार में मंत्री-पद नहीं मिला है, उन के लिए कोई काम ढूंढा गया है ?

अध्यक्ष महोदय : श्री मधु लिमये ।

डा० राम मनोहर लोहिया : अध्यक्ष महोदय, मैं ने यह सवाल पूछा था जवाब के लिए । यह बहुत गम्भीर सवाल है । मंत्री महोदय को "हां" या "ना", जो कुछ कहना हो, वह कह दें ।

अध्यक्ष महोदय : चूंकि सवाल बहुत ज्यादा गम्भीर था, इसलिये मैं ने दूसरे माननीय सदस्य को बुला लिया।

डा० राम मनोहर लोहिया : आप को और सरकार को बहुत गम्भीर सवालों का सामना करना पड़ेगा।

अध्यक्ष महोदय : अगर मिनिस्टर साहब की तरफ से जवाब आ जाये और वह "हां" या "ना" कह दिया करें, तो ज्यादा अच्छा है। मैं ने तो इस लिए दूसरे माननीय सदस्य को बुला लिया कि जवाब बड़ा आब्जेक्शनेबल है और उस के सिवा दूसरा कोई जवाब नहीं हो सकता है। जो भी जवाब हो, वह आना चाहिए, ताकि मुझे यह न कहना पड़े और मुझ पर इल्जाम न लगाया जाये।

श्री हाथी : ऐसी कोई बात नहीं है।

श्री मधु लिमये : इस वक्त बड़ी नौकरशाही का बढ़ते पैमाने पर जो विस्तार हो रहा है, उस को रोकने के लिये और आम जनता के जीवन स्तर और बड़े नौकरशाहों के जीवन-स्तर में जो दरार पड़ती जा रही है, उस को कम करने के लिए भी कोई उपाय यह कमीशन ढूंढेगा ?

श्री हाथी : इस रेजोल्यूशन में मशीनरी आफ दि गवर्नमेंट आफ इंडिया और पर्सोनेल वगैरह सभी बातें हैं।

श्री डा० ना० तिवारी : क्या मैं पूछ सकता हूं कि इस कमीशन की नियुक्ति के बाद स्पेशल कन्सलटेटिव एडवाइजरी कमेटी की क्या स्थिति रह गई है ? यदि वह काम करती रहेगी, तो उस में और इस कमीशन में सामंजस्य कैसे रहेगा ?

श्री हाथी : हम ने उस कमेटी की एक मीटिंग बुलाई है। हम कमेटी के मेम्बरों के साथ विचार-विमर्श करेंगे और उसके बाद तय करेंगे।

श्री विश्व नाथ पाण्डे : क्या सरकार ने इस कमीशन को बनाने से पहले इस बारे में कोई सिफारिश की है कि इस के कौन-कौन मैम्बर होंगे या उस ने किस को चाहा, उसे मेम्बर बना दिया ?

श्री हाथी : इस काम के लिए जो व्यक्ति सर्वोत्तम होंगे, उन का ही नाम सोचा गया था।

Dr. L. M. Singhvi: May I know whether it is a fact that the Home Minister was to consult with the Chief Justice in respect of the appointment of a separate commission in respect of administrative tribunals and redress of public grievances; if so, what is the result and will this subject be bifurcated or will it continue to be entrusted to this Commission?

Shri Nanda: I have brought up this subject with the Chief Justice of India and it is being pursued.

श्री म० ला० द्विवेदी : एडमिनिस्ट्रेटिव रिफार्म कमीशन के सम्बन्ध में सरकार की ओर से इकतरफा वक्तव्यों का प्रकाशन समाचारपत्रों में हुआ है, जब कि इस कमीशन की ओर से ऐसी कोई बात सुनने को नहीं मिली है। क्या आप की आज्ञा से गृह मंत्री या कमीशन के चेयरमैन की ओर से, जो यहां मौजूद हैं, इस सम्बन्ध में स्पष्टीकरण दिलाने का अवसर दिया जायेगा ?

अध्यक्ष महोदय : गृह मंत्री से पूछा जा सकता है जवाब।

श्री हाथी : किस बारे में स्पष्टीकरण चाहिये ?

श्री म० ला० द्विवेदी : इकतरफा बयान जो निकल रहे हैं, स्टेटस के बारे में।

श्री हाथी : स्टेटस के बारे में तो बयान होम मिनिस्टर ने दे दिया है कि जो स्टेटस है उस में इनडिविजुअल की बात नहीं है। कमीशन का कोई ऐसा स्टेटस होना चाहिये, जिस से उस को काम में सुविधा रहे।

श्री म० ला० द्विवदी : चेयरमैन मौजूद हैं। यदि उन से स्पष्टीकरण दिला दिया जाय तो अच्छा होगा ताकि सदन को पता लग जाए कि वास्तविकता क्या है।

WRITTEN ANSWERS TO QUESTIONS

Oil and Gas in Karaikal and Cauvery

*39. **Dr. P. Srinivasan:**
Shri Paramasivan:
Shri Linga Reddy:
Shri P. R. Chakraverti:
Shri K. N. Tiwary:
Shri R. Barua:
Shri P. C. Borooah:
Shri M. L. Dwivedi:
Shri Bhagwat Jha Azad:
Shri S. C. Samanta:
Shri Subodh Hansda:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether it is a fact that oil and gas have been found recently in Karaikal and Cauvery area; and

(b) if so, the estimated reserves and steps taken for the exploration thereof?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) and (b). Some traces of oil and gas have been found in the Karaikal area. As these have not yet been found to be of commercial significance, the question of estimation of their reserves does not arise at present. But further exploratory operations will be continued in the area.

Education on Concurrent List

*40. **Shri Bagri:**
Dr. Ram Manohar Lohia:
Shri Yashpal Singh:
Shri Balmiki:
Shri Dhuleshwar Meena:
Shri Ramachandra Ulaka:

Will the Minister of **Education** be pleased to refer to the reply given to Unstarred Question No. 54 on the 3rd November, 1965 regarding the Sapru Committee's recommendation to bring 'Education' on the Concurrent List and state:

(a) whether the replies from the remaining States have since been received;

(b) if so, the nature of the replies received from each State; and

(c) the action taken on these recommendations?

The Minister of Education (Shri M. C. Chagla): (a) No, Sir.

(b) Does not arise.

(c) Further action will be taken by Government on receipt of replies from the remaining State Governments.

Coke-oven Gas for Fertilizers

*41. **Shri Rameshwar Tantia:**
Shri Himatsingka:
Shri Onkar Lal Berwa:
Shri Lahtan Chaudhry:
Shri Narayan Reddy:
Shri Bagri:
Dr. Ram Manohar Lohia:
Shri Madhu Limaye:
Shri Yashpal Singh:
Shri Kajrolkar:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether there is a proposal for the production of fertilizers by utilizing coke-oven gas obtained from the Bhilai Steel Plant;

(b) whether it is a fact that the possibility of using coke-oven gas for the fertilizer plant at Korba was discussed with the Russian experts who had come in connection with the expansion of the Bhilai Steel Plant; and

(c) if so, the outcome thereof?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) The Fertilizer Corporation of India Limited has made a proposal to tap hydrogen from coke-oven gas of Bhilai Steel Plant for the manufacture of urea. The proposal raises a number of important issues, which cannot be fully decided until the lines of expansion of the Bhilai Steel Plant have been settled. The report of the Corporation is under examination.

(b) There is, at present, no proposal to establish a fertilizer plant at Korba utilising coke-oven gas.

(c) Does not arise.

Infiltrators in Eastern Region

*42. **Shri Himatsingka:**
Shri Rameshwar Tantia:
Shri Onkar Lal Berwa:
Shri Lahtan Chaudhry:
Shri D. C. Sharma:
Shri P. C. Borooah:
Shri Narayan Reddy:
Shri Ram Harkh Yadav:
Shri Bhagwat Jha Azad:
Shri M. L. Dwivedi:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shrimati Savitri Nigam:
Shri Yashpal Singh:
Shri P. R. Chakraverti:
Shri K. N. Tiwary:
Shri Bagri:
Shri Vishram Prasad:
Dr. Ram Manohar Lohia:
Shri Kishen Pattnayak:
Shri Prakash Vir Shastri:
Shri Jagdev Singh Siddhanti:
Shri Hukam Chand Kachhavaiya:
Shri Madhu Limaye:
Shri Hem Barua:
Shri Rajeshwar Patel:
Shri Ravindra Varma:
Shri R. S. Pandey:
Shrimati Jyotsna Chanda:
Shri Basumatari:
Shrimati Renuka Barkataki:
Shri R. Barua:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that the various schemes to prevent the infiltration of Pakistani nationals into Assam have not yet been implemented;

(b) if so, the reasons that prevent Assam Government to implement these schemes;

(c) the nature of assistance the Centre is considering to give in view of the difficulty expressed by the Assam Government in implementing them;

(d) whether the scheme for issue of identity cards to all the Indians in Assam has found favour and if so, when those cards are likely to be introduced; and

(e) the latest estimate of infiltrators in Assam, West Bengal and Tripura?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) to (d). Of the various schemes which have been under consideration for the prevention of infiltration of Pakistani nationals into Assam, those relating to the erection of barbed-wire fencing and issue of identity cards have respectively been found impracticable and inexpedient. The scheme for the evacuation of population from a one-mile belt is still under consideration. Other schemes have been implemented. Necessary financial and other assistance has been and is being given to the State Government.

(e) Assam—About 1,20,000
Tripura—About 1,000
West Bengal—Actual number has not yet been determined. However, the number of infiltrator detected as on 10th January 1966 was 728.

Education Commission's Report

*43. **Shri Prakash Vir Shastri:**
Shri Rameshwar Tantia:
Shri Himatsingka:
Shri Hukam Chand Kachhavaiya:
Shri Jagdev Singh Siddhanti:
Shri Narayan Reddy:
Shri Vishwa Nath Pandey:
Shri M. S. Murti:
Shri Sidheshwar Prasad:

Shri Linga Reddy:
Shri Sham Lal Saraf:
Shri R. Barua:
Shri Ramachandra Ulaka:
Shrimati Renu Chakravarty:
Shri Dhuleshwar Meena:
Shri R. S. Pandey:
Shri Karni Singhji:
Shrimati Ramdulari Sinha:

Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 5 on the 3rd November, 1965 and to state:

(a) whether the Education Commission has since submitted its Report to Government;

(b) if so, the main recommendations made therein; and

(c) the steps taken by Government to implement those recommendations?

The Minister of Education (Shri M. C. Chagla): (a) Not yet, Sir.

(b) and (c). Do not arise.

Indian Historical Records Commission

*44. Shri Lahtan Chaudhry:
Shri Rameshwar Tantia:
Shri Himatsingka:
Shri Yashpal Singh:
Shri Narayan Reddy:
Shri Ram Harkh Yadav:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that the Union Government have decided to reconstitute the Indian Historical Records Commission and substantially amend its scope;

(b) if so, the main reasons for its reconstitution; and

(c) the composition of the Commission?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) Yes, Sir. The Commission has already been reconstituted.

(b) The main reasons for its reconstitution are given in paras 1 and 2 of the Resolution which is laid on the Table of the House. [*Placed in Library. See* No. LT-5452/66].

(c) The composition of the Commission is given in para 3.1 of the Resolution.

Oil Reserves under the Ocean Bed

*45. Shri Bibhuti Mishra:
Shri K. N. Tiwary:
Shri P. C. Borooah:
Shri M. L. Dwivedi:
Shri Bhagwat Jha Azad:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shri Yashpal Singh:
Shri Balmiki:
Shri Onkar Lal Berwa:
Shri P. R. Chakraverti:
Shri Rameshwar Tantia:
Shri Himatsingka:
Shri Bagri:
Dr. Ram Manohar Lohia:
Shri D. N. Tiwary:
Shri Madhu Limaye:
Shrimati Renuka Barkataki:
Shri Balakrishnan:
Shri C. K. Bhattacharyya:
Shri Hukam Chand Kachhavaiya:
Shri Bade:
Shri Gokulananda Mohanty:
Shrimati Jyotsna Chanda:
Shri R. S. Pandey:
Shri Ravindra Varma:
Shri R. Barua:
Shri Basumatari:

Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether it is a fact that there are very huge reserves of oil under the ocean bed off the coast between the mouth of the Coleroon and Kanyakumari in Madras State and Kerala coast;

(b) if so, whether Government have formulated any scheme to exploit these reserves; and

(c) if so, the main features thereof?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) Seismic surveys have indicated favourable structures at two places. Since drilling operations have not been carried out so far along the Coromandel Coast, it is not possible to say whether accumulations of oil are present in these structures. No detailed off-shore survey has yet been made along the Kerala Coast.

(b) and (c). Do not arise.

विश्वविद्यालयों के सम्बन्ध में एकरूप नीति

*46. डा० राम मनोहर लोहिया :
श्री किशन पटनायक :
श्री मधु लिमये :
श्री बागड़ी :
श्री प्र० रं० चक्रवर्ती :
श्री क० ना० तिवारी :
श्री नारायण रेड्डी :
श्री लाटन चौधरी :
श्री प्रकाशवीर शास्त्री :
श्री हुकम चन्द कछवाय :
श्री जगदेव सिंह सिद्धान्ती :
श्री रामेश्वर टांटिया :
श्री हिम्मतसिंहका :
श्री ओंकार लाल बेरवा :
श्री श्रीनारायण दास :
श्री द्वा० ना० तिवारी :
श्री यशपाल सिंह :
श्री विश्वनाथ पाण्डेय :
श्री लिंग रेड्डी :
श्री च० का० भट्टाचार्य :
श्री भागवत झा आजाद :
श्री स० च० सामन्त :
श्री सुबोध हंसदा :
श्रीमती रामदुलारी सिन्हा :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) आंध्र प्रदेश के मुख्य मंत्री के इस प्रस्ताव पर राज्य सरकारों तथा विश्वविद्यालयों के बीच सम्बन्धों के बारे में एक समान नीति निर्धारित करने के लिए केन्द्र तथा राज्य सरकारों के बीच विचार विमर्श होना चाहिए, सरकार का क्या दृष्टिकोण है; और

(ख) क्या उन के मंत्रालय ने कोई ऐसा ढंग निकाला है जिस से राज्य समूचे देश में विश्वविद्यालयों से एक समान सम्बन्ध बनाये रख सकें ?

शिक्षा मंत्री (श्री म० क० चागला) : (क) और (ख) आन्ध्र प्रदेश के मुख्य मंत्री से ऐसा कोई प्रस्ताव नहीं मिला है। फिर भी शिक्षा मंत्री ने सभी राज्यों के मुख्य मंत्रियों को सलाह देते हुए लिखा है कि एक convention (परिपाटी) कायम की जानी चाहिये कि पहले से U.G.C. तथा Central Education Ministry (केन्द्रीय शिक्षा मंत्रालय) से सलाह लिए बिना कोई University legislation (विश्वविद्यालय विधान) हाथ में न लिया जाए और न ही कोई University Act में संशोधन किया जाए।

Self-sufficiency in Petroleum Kerosene and Diesel Oil

*47. **Shri Linga Reddy:**
Shri Madhu Limaye:
Shri Bibhuti Mishra:
Dr. L. M. Singhvi:

Will the Minister of **Petroleum and Chemicals** be pleased to refer to the reply given to Starred Question No. 17 on the 3rd November, 1965 and state:

(a) the extent to which Government have been successful so far to make the country self-sufficient in regard to diesel, petrol and kerosene oil; and

(b) the States where oil refineries are proposed to be set up in the Fourth Five Year Plan period and the estimated cost thereof?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) The indigenous production of motor spirit is in excess of demand. A part of the demand for HSD and Kerosene is still being met by imports. Self-sufficiency in HSD is expected to be achieved during 1966 with the commissioning of additional refining capacity at the Cochin, Koyali and Barauni refineries. Imports of kerosene will decline progressively with the setting up new refining capacity in the IV Five Year Plan, but small deficits are likely to continue for some years to come.

(b) In the IV Five Year Plan period, three oil refineries are proposed to be set up, namely, the Madras Refinery (estimated cost about Rs 25 crores), a refinery at Haldia in West Bengal and another in North-West India at a location still to be determined. The estimates of cost for the Haldia and the North-West Refineries have not so far been made.

Joint Consultative Machinery

*43. **Shri Daji:**
Shri S. M. Banerjee:
Shri Madhu Limaye:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that the constitution of a Joint Consultative Machinery for the Central Government employees has been deadlocked due to the difference of opinion between the Government and the recognised employees' associations on the issue of representation on the Joint Councils to "'craft" unions; and

(b) the steps taken to resolve the deadlock?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) The implementation of the scheme of joint consultation and compulsory arbitration has been delayed due to the difference of opinion between the Government and the employees organisations on some items one of which is the recognition of unions on the basis of categories of staff having common service interests.

(b) It is proposed to hold further meetings with the employees organisations in order to arrive at an agreement.

Prohibition

*49. **Shri Hem Raj:**
Shri P. R. Chakraverti:
Shri K. N. Tiwary:
Shri Bhagwat Jha Azad:
Shri M. L. Dwivedi:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shrimati Savitri Nigam:
Shri P. C. Borooah:
Shri Kajrolkar:
Shri Madhu Limaye:
Shri Yashpal Singh:
Shri S. M. Banerjee:
Shri Vishwa Nath Pandey:
Shri Bibhuti Mishra:
Shri Hem Barua:
Shri Warior:
Shri Indrajit Gupta:
Shri Vasudevan Nair:
Shri Prabhat Kar:
Shri Hari Vishnu Kamath:
Shri D. J. Naik:
Shri D. C. Sharma:
Shri Kindar Lal:
Shri R. Barua:
Shri Rameshwar Tantia:
Shri Himatsingka:
Shri R. S. Pandey:
Shri Ram Sewak Yadav:
Shri Barri:
Shrimati Ramdulari Sinha:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No. 570 on the 1st December, 1965 and state:

(a) whether the views of all the State Governments on the Tek Chand Committee Report have been received;

(b) the names of the States who are not in favour of Prohibition and the reasons advanced by them; and

(c) the final decision taken on the policy to be pursued to enforce prohibition throughout the country?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) All the State Governments with the exception of two have furnished their view on the report of the Study Team.

(b) From the replies received so far, no State has stated that it is not in favour of prohibition or is totally opposed to the recommendations of the Study Team. Some State Governments have, however, pointed out difficulties in implementing some of the recommendations and these are being examined.

(c) Efforts are being made to reach an early decision on the future policy.

गृह-कार्य मंत्रालय में हिन्दी का प्रयोग

*50. श्री राम सेवक यादव :
डा० राम मनोहर लोहिया :
श्री बागड़ी :
श्री किशन पटनायक :
श्री प्रकाशवीर शास्त्री :
श्री हुकम चन्द कछवाय :
श्री सत्यदेव सिंह सिद्धान्ती :
श्री बलवन्त सिंह :
श्री विश्वनाथ पाण्डेय :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) गृह-कार्य मंत्रालय में हिन्दी के प्रयोग के बारे में अब तक कितनी प्रगति हुई है;

(ख) इस मंत्रालय में हिन्दी का प्रयोग कब तक पूर्ण रूप से हो जायेगा;

(ग) क्या हिन्दी जानने वाले कर्मचारियों को कोई लाभ दिया जाता है; और

(घ) यदि हां, तो क्या है ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री विद्या चरण शुक्ल) : (क) केन्द्रीय सरकार के गृह मंत्रालय में विभिन्न कार्यों के लिये हिन्दी के वास्तविक उपयोग की दिशा में की गई प्रगति इस प्रकार है :—

1. हिन्दी में प्राप्त होने वाले पत्रों का आम तौर पर हिन्दी में जवाब दिया जाता है।

2. सरकारी संकल्प हिन्दी तथा अंग्रेजी दोनों भाषाओं में जारी किये जाते हैं।

3. प्रशासनिक प्रतिवेदन तथा संसद् में पेश किये जाने वाले प्रतिवेदन हिन्दी में भी प्रकाशित किये जाते हैं।

4. 112 विभागीय फार्मों में से 94 दोनों भाषाओं में छापे जा चुके हैं।

5. इस मंत्रालय के विभिन्न अनुभागों में काम करने वाले कर्मचारियों में से लगभग 67 प्रतिशत को हिन्दी का काम चलाऊ ज्ञान है या हिन्दी का प्रशिक्षण दिया जा चुका है।

6. अब तक इस मंत्रालय के चुने हुए 6 अनुभागों में हिन्दी में टिप्पणियां लिखना शुरू कर दिया गया है।

(ख) 1963 के राजभाषा अधिनियम में हिन्दी तथा अंग्रेजी दोनों भाषाओं के, विभिन्न सरकारी कार्यों के लिये, प्रयोग की व्यवस्था है। इस व्यवस्था के अनुसार समय की कोई सीमा नहीं बांधी गई। इस लिये केन्द्रीय सरकार के काम काज में केवल हिन्दी के प्रयोग को लागू करने का प्रश्न ही नहीं उठता।

(ग) जी, नहीं।

(घ) प्रश्न ही नहीं उठता।

नागरिक सुरक्षा दल

*51. डा० राम मनोहर लोहिया :
श्री अन्नदी :
श्री राजेश्वर पटेल :

श्री किशन पटनायक :
श्री लिंग रेड्डी :
श्री भागवत झा आजाद :
श्री म० ला० द्विवेदी :
श्री स० चं० सामन्त :
श्री सुबोध हंसदा :
श्री प्र० चं० बरुआ :
श्री यशपाल सिंह :
श्री विश्राम प्रसाद :
श्री उदिया :
श्री विश्वनाथ पाण्डेय :
श्री नारायण रेड्डी :
श्री हिम्मत सिंहका :
श्री रामेश्वर दांडिया :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार का विचार सिविल डिफेंस फोर्स (नागरिक सुरक्षा दल) को सुदृढ़ करने का है;

(ख) यदि हां, तो क्या सरकार का विचार इस प्रयोजन के लिये पृथक विभाग बनाने का है जो कि एक केन्द्रीय मंत्री के अधीन होगा; और

(ग) इस प्रस्ताव की मुख्य बातें क्या हैं ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री पू० डो० मस्कर) : (क) और (ग). नागरिक सुरक्षा व्यवस्था को अधिक प्रभावशाली बनाने के लिये कुछ सुझाव अभी विचाराधीन हैं । इस बारे में विस्तार से बताना जनहित की दृष्टि से ठीक नहीं होगा ।

(ख) जी, नहीं ।

Border Security Force

*53. **Shri Gulshan:**
Shri Linga Reddy:
Shri Prakash Vir Shastri:
Shri Hukam Chand Kachhavaiya:
Shri Jagdev Singh Siddhanti:
Shri Madhu Limaye:
Shri Kishen Pattnayak:
Shri Bhagwat Jha Azad:
Shri M. L. Dwivedi:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shrimati Savitri Nigam:
Shri P. C. Borooah:
Sh i Shree Narayan Das:
Dr. Ranen Sen:
Shri Dinen Bhattacharya:
Shri Krishnapal Singh:
Dr. L. M. Singhvi:
Shri D. C. Sharma:
Shri R. S. Pandey:
Shri Ram Sewak Yadav:
Shri Bagri:
Shri Man Sinh P. Patel:

Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 1 on the 3rd November, 1965 and state:

(a) whether the Central Government have taken over all the Border Police Forces of the States;

(b) if so, whether all the expenditure is being borne by the Central Government;

(c) whether the Central Government have reimbursed to the States any amount of expenditure for the years 1963 and 1964; and

(d) if so, how much amount to each State?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) and (b). The Central Government have taken over from the 1st December, 1965 the State Armed Police battalions deployed on Indo-Pak. Border to form the unified central border security force and have assumed responsibility for meeting the entire expenditure on them from the said date.

(c) Yes.

(d) The following payments have been made to the States as Grant-in-

aid for policing Indo-Pakisan border:—

	1963-64	1964-65
	(figures in lakhs of rupees	
Assam . . .	9·44	162·30
Punjab . .	7·50	80.10
Rajasthan . .	..	200·00
West Bengal .	8·50	4·67

Review of Working of D.I.R.

*53. **Shri Harish Chandra Mathur:**
Shri S. M. Banerjee:
Shri Vasudevan Nair:
Shri Warior:
Shri Prabhat Kar:
Shri Indrajit Gupta:
Shri Madhu Limaye:
Shri Kishen Pattnayak:
Shri Vishwa Nath Pandey:
Dr. L. M. Singhvi:

Will the Minister of Home Affairs be pleased to state:

(a) whether any review of the working of the D.I.R. has been made;

(b) how many persons are under detention under D.I.R. at present and how many of them are Legislators;

(c) what are the main complaints and Government's conclusions regarding the operation of D.I.R.;

(d) whether Government's attention has been drawn in particular to the very severe observations made by Sa vashri 'Setulvad and Santhanam; and

(e) if so, Government's reaction thereto?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) The Government have been reviewing the working of the Defence of India Rules, 1962, from time to time to assess the extent to which the rules have been used to meet the requirements of the emergency.

(b) 3030 persons were under detention under the Defence of India Rules on 1-1-1966. Of these 67 were either members of State legislatures or of Parliament.

(c) There has been some criticism to the effect that the Proclamation of Emergency was being continued indefinitely by the Government and that the emergency powers were being used for stifling political opposition and for dealing with strikers, hoarders, profiteers, communal elements etc. while the ordinary law was available for the purpose. As was stated earlier in the House, the Proclamation of Emergency was issued because the security of India was threatened by external aggression. As this threat has persisted, it has been found necessary to continue the operation of this Proclamation. The actual use of emergency powers is governed by considerations dictated by national interest and requirements of the situation as they arise and not by political or any other consideration.

(d) and (e) Government have seen a press report on an article by Shri M. C. Setalvad in the "Indian Advocate", in which he is reported to have stated that the executive has taken advantage of the Chinese aggression to constitute itself into what may be called a constitutional dictatorship. They have also seen a press report that according to a statement made by the Secretary of the Bar Association of India the views expressed by Shri Setalvad did not reflect the opinion of the Bar in general but were attributable only to a section of the Bar. They have also seen a press report on a lecture delivered by Shri K. Santhanam is which he is reported to have stated that there was no justification for the conitnuance of the Proclamation of Emergency after the Chinese had withdrawn from certain areas occupied by them and that if it was

found necessary, there could have been a fresh Proclamation of emergency at the time of Pakistani aggression last year. Government do not agree with the views expressed by Shri Setalvad and Shri Santhanam. As stated in part (c) above, the necessity for continuing the Proclamation of Emergency arises because of the persistent threat to the security of the country and the emergency powers have been exercised to meet the requirements of the emergency.

Calcutta Industrialists

*54. **Shri S. M. Banerjee:**
Shri Indrajit Gupta:
Shri S. C. Samanta:
Shri Subodh Hansda:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No. 719 on the 8th December, 1965 and state:

(a) what further action has been taken against the two industrialists of Calcutta arrested on the 8th October, 1965 under the D.I.R.;

(b) whether it is also a fact that Indian currency notes worth crores of rupees which were printed in Pakistan have been recovered from their houses;

(c) whether these persons have been prosecuted; and

(d) if not, the reasons therefor?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) They are still in detention under rule 30 of the Defence of India Rules.

(b) No, Sir.

(c) No, Sir.

(d) The Government of West Bengal who have been dealing with this matter are awaiting a futher examination of the material available, for taking a decision.

Decontrol of Prices and Distribution of Fertilizers

*55. **Shri P. C. Borooah:**
Shri M. L. Dwivedi:
Shri Bhagwat Jha Azad:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shrimati Savitri Nigam:
Shri Shree Narayan Das:
Shri Vishram Prasad:
Shri Madhu Limaye:
Shri Kishen Pattnayak:
Dr. Ram Manohar Lohia:
Shri Bagri:
Shri Utiya:
Shri Ram Sewak Yadav:
Shri Yashpal Singh:
Shri Bibhuti Mishra:
Shri K. N. Tiwary:
Shri Karni Singhji:
Shri P. R. Chakraverti:
Shri Vishwa Nath Pandey:
Shri Kajrolkar:
Shri D. N. Tiwary:
Shri C. K. Bhattacharyya:
Shri Lobhan Chaudhry:
Shri Rameshwar Tantia:
Shri Himatsingka:
Shri Narayan Reddy:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether in order to attract foreign private investment in the fertilizer industry, Government have decided to allow a limited decontrol of prices and distribution of fertilizers;

(b) if so, the precise decision taken in this regard; and

(c) the reaction of the foreign entrepreneurs thereto so far?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) Yes, Sir.

(b) It has been decided that all fertiliser projects licensed upto 31st March, 1967 will be free to fix prices of their products and to organise their own distribution for a period of seven years from the commencement of commercial production, subject to Government having the option to take upto 30 per cent of the products at a negotiated price.

(c) The reactions are favourable.

Consultations between State Ministers and Governors

*58. Shri A. N. Vidyalankar:
Shri Bibhuti Mishra:
Shri P. R. Chakraverti:
Shri Bhagwat Jha Azad:
Shri S. C. Samanta:
Shri Subodh Hansda:

Will the Minister of Home Affairs be pleased to state:

(a) whether the Government of India have sent a circular recently to the State Governments advising the Chief Ministers and Ministers to consult the Governors more frequently and on a larger number of subjects;

(b) whether it is a fact that some of the Governors had made a complaint to the Government that they were not consulted frequently by the State Ministers on important matters; and

(c) whether Government propose to revise the model rules of business and whether it is intended to further curtail the powers of the Minister's increased say in all matters to the Governors?

The Minister of Home Affairs (Shri Nanda): (a) to (c). It was found in 1951 that the Rules of Business adopted in the various States were not uniform. A draft of the Model Rules was, therefore, prepared and circulated to State Governments to bring about uniformity and also to ensure that the Governor was kept informed of all important matters relating to the administration of the State. Since it appeared that the Rules of Business in some States did not fully conform to those Model Rules, it was suggested to Chief Ministers in November, 1965, that they might consider the desirability of amending their Rules of Business suitably. A list of the types of cases which, at the Centre, were normally submitted to the President, and which could usefully be included in the list of cases to be submitted to Governors was also sent.

The provisions of article 167 of the Constitution were kept in view in making the above suggestions.

Appointment of a Vice-Chancellor in Punjab

*57. Shri Hari Vishnu Kamath:
Shri Ram Sewak Yadav:
Shri Nagri:

Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 594 on the 1st December, 1965 and state:

(a) whether the Punjab Government has submitted a report with regard to the appointment, as Vice-Chancellor of a University in Punjab, of a person who was removed from service by order of the President on charges of corruption;

(b) if so, the particulars thereof; and

(c) whether the report will be laid on the Table?

The Minister of Education (Shri M. C. Chagla): (a) to (c). The Chief Minister of Punjab in his reply stated that he was requesting the Chancellor, who is the appointing authority, to make an enquiry into the matter. The Chancellor has instituted an enquiry but its outcome has not yet been reported to the Education Ministry by the Punjab Government.

Plot to kill Kashmir Chief Minister

*58. Shri M. L. Dwivedi:
Shri P. C. Borooah:
Shri Bhagwat Jha Azad:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shri P. R. Chakraverti:
Shri Bibhuti Mishra:
Shri D. N. Tiwary:
Shri Yashpal Singh:
Shri Nekram Chand Kachhavaiya:
Shri Bade:

Shri D. J. Naik:
Shri Krishanpal Singh:
Shri Gokulananda Mohanty:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether a plot to kill the Kashmir Chief Minister was unearthed in December last before it could materialise;

(b) if so, the number of persons who were apprehended in that connection and their particulars; and

(c) Government's reaction thereto?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) Yes, Sir.

(b) and c). Fuller details of the incident are awaited from the Jammu and Kashmir Government.

New Code of Conduct for Ministers

*59. **Shri Madhu Limaye:**
Shri Kishen Pattnayak:
Dr. Ram Manohar Lohia:
Shri P. K. Deo:
Shri Kapur Singh:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government are contemplating a new code of conduct for Ministers and a new procedure for making independent preliminary inquiries into allegations made against them by legislators; and

(b) if so, the broad features thereof?

The Minister of Home Affairs (Shri Nanda): (a) and (b). Government are not contemplating a new code of conduct for Ministers. Government's approach regarding procedure for making inquiries into allegations against Ministers were explained by the Home Minister in the course of his reply during the discussion of the Demands for Grants of Ministry of Home Affairs on 27-4-1965. There is no change in the position.

Resignation of Shri A. P. Jain

*60. **Shri Bhagwat Jha Azad:**
Shri Hari Vishnu Kamath:
Shri P. C. Borooah:
Shri M. L. Dwivedi:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shri Surendranath Dwivedy:
Shri Sezhiyan:
Shri Prakash Vir Shastri:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that the former Governor of Kerala, Shri A. P. Jain, took an active part in a Congress party election while he held that high Office;

(b) whether the said action on his part was in consonance with the code of conduct prescribed for a Governor; and

(c) if not, the action taken in the matter?

The Minister of Home Affairs (Shri Nanda): (a) to (c). In his letter dated 17 January 1966, addressed to the President, Shri Ajit Prasad Jain stated that while he was on a visit to Delhi he had advised his friends, who sought his guidance, in connection with the recent election of the leader of the Congress Parliamentary Party. Since he felt that this might not be in accord with the proprieties attached to the high office of Governor he tendered his resignation. He was informed in reply by the President on the 21st January 1966, that arrangements were being made to relieve him of his office. But until this was done he should continue in office as Governor of Kerala.

Excavation of Ancient Sites in Mathura

124. **Shri Ram Harkh Yadav:**
Shri Murli Manohar:
Shri Vishwa Nath Pandey:

Will the Minister of **Education** be pleased to state:

(a) whether Government have permitted a German Indologist to

excavate the sites of two ancient mounds in Mathura district of U.P.—the Sonkh and Rai areas;

(b) if so, the terms of the licence; and

(c) the estimated expenditure involved in the excavation?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) Yes, Sir.

(b) 1. Objects found during excavations will be the property of the State Government.

2. Not more than one piece of those objects (which will be found in duplicate) will be handed over to the excavator.

3. The excavator will be allowed to take photographs of the objects found during excavations but in case he intends to publish them prior permission of the State Government will be necessary.

4. If permitted he shall have to donate at least ten copies of the publications to the State Government in which the photographs of such objects are published.

5. An officer duly nominated by the State Government will be posted at the site to watch the excavations.

(c) As the expenditure is to be borne by the excavator himself, the Archaeological Survey of India has neither prepared nor called for any estimate.

Training for Circus Artistes

127. Shri Murli Manohar:
Shri Ram Harkh Yadav:

Will the Minister of **Education** be pleased to state:

(a) whether the Indian Circuses Federation have submitted their demands to Government for the provision of training institutes for Circus Artistes;

(b) if so, whether Government propose to send Circus Artistes abroad for professional training; and

(c) whether Government propose to remove the levy of entertainment tax from circuses?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) Yes, Sir.

(b) There is no such proposal under the consideration of Government.

(c) The matter falls within the jurisdiction of State Governments.

Guruvayoorapan College, Kerala

128. Shri A. K. Gopalan: Will the Minister of **Education** be pleased to state:

(a) whether the Kerala University Syndicate has appointed a Commission to go into the working of "Guruvayoorapan College", Kerala;

(b) whether it is a fact that the Principal of the College has submitted a complaint about its working;

(c) if so, the contents thereof; and

(d) when the Commission's work will be over?

The Minister of Education (Shri M. C. Chagla): (a) Yes, Sir.

(b) Yes, Sir.

(c) There are charges and countercharges levelled by the Principal and the Management against each other.

(d) The Commission is expected to complete its work shortly.

Arrest of Muslim Leaguers in Kerala

129. Shri A. K. Gopalan: Will the Minister of **Home Affairs** be pleased to state:

(a) whether his Ministry has enquired into the allegation that some

Muslim leaguers in Kerala had been arrested and detained due to political prejudices;

(b) the number of Muslim Leaguers detained in Kerala under the Defence of India Rules after August, 1965;

(c) the number of women among them;

(d) whether protests have been made against these arrests;

(e) whether any of them have been given family allowance; and

(f) whether it is a fact that they are not given all facilities which other detenus are getting?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) No Muslim Leaguer was arrested and detained in Kerala due to political prejudices.

(b) Four Muslim Leaguers were detained under the Defence of India Rules, 1962, after August 1965. They have since been released.

(c) Nil.

(d) Yes, Sir.

(e) No Sir. Their cases were under consideration of the State Government but before any decision could be taken they were released

(f) No, Sir. No discrimination is shown in regard to treatment of detenus.

Shortage of Light Diesel Oil

130. Shri Shiv Charan Mathur: Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether there was an acute shortage of light diesel oil in the country during the months of September-October, 1965;

(b) if so, the reasons thereof and the present position of supply of this oil; and

(c) the quantity of light diesel oil supplied to Rajasthan and other States during the period September-December, 1965?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) and (b). Owing to the failure of the monsoon in 1965, a much larger programme of lift irrigation was undertaken in some States and there was a substantial increase in the demand for light diesel oil suddenly from October 1965 onwards and shortages began to be felt. As soon as this was brought to the notice of the Government of India, steps were taken to increase the production and supply of light diesel oil correspondingly. As a result, from a total of about 71,000 Kl in September 1965, the supply in December 1965 had been increased to nearly 97,000 Kl; and the position is, therefore, greatly improved.

(c) Supplies of LDO were specially planned and arranged for the States of Gujarat, Maharashtra and Rajasthan. Detailed information about these three States only is available for the months October to December. The quantities supplied to these States are shown below:—

Month.	Rajasthan	Gujarat	Maharashtra	Other States.
	Kl.	Kl.	Kl.	Kl.
October	2034	23440	20082	38976
November	3528	25847	20688	45149
December	4184	20928	24384	47244

A similar break-up for September 1965 is not immediately available; but the information will be collected and placed on the Table of the House in due course.

Programme of General Education

131. Shri Shiv Charan Mathur: Will the Minister of **Education** be pleased to state:

(a) whether any scheme has been formulated by the University Grants

Commission for strengthening the programme of General Education;

(b) if so, the details of the scheme; and

(c) the names of the Colleges in Rajasthan to be covered under the scheme?

The Minister of Education (Shri M. C. Chagla): (a) Yes, Sir.

(b) On the recommendation of the Advisory Committee on General Education financial assistance is made available to Universities

I. Where General Education has been introduced: For collection and printing of reading material; discussion meetings or conferences; workshop sessions during vacations; addition to the library of books of general interest and audio-visual aids for use in General Education Courses.

II. Where introduction of General Education is under active consideration: For short term visits by faculty members to Universities where such course are in progress, and *vice versa;* organisation of a Committee to prepare the General Education programme and meetings for discussion of plans as worked out by this Committee.

(c) All the colleges affiliated to or under the control of the three universities in Rajasthan, and which conduct the Three Year Degree Course, are covered under the scheme.

Indian Archives Council

132. Shri Shree Narayan Das: Will the Minister of **Education** be pleased to state:

(a) whether the Indian Archives Council as suggested by the Committee on Archival Legislation has been established; and

(b) if so, the composition and precise nature of its functions?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) No, Sir. The suggestion is under consideration of the Government.

(b) Does not arise.

Supply of Gas and Oil in Gujarat

134. Shri Sham Lal Saraf: Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether the Industrialists and Merchants in Gujarat have raised their concerted voice about the inadequate supply of Gas and Oil from local production for the private sector industries; and

(b) if so, the steps being taken to meet the demand?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) and (b). During recent months, demands were received from Gujarat for increased supplies of L.D.O., which is not produced at the Gujarat Refinery. Supplies were, therefore, arranged from the production of the Refineries at Bombay.

The Oil and Natural Gas Commission have received requests from a number of industries in Gujarat for the supply of natural gas. The quantity of gas available being limited, the Commission will be able to meet the requirements of only some of the industries after satisfying priority consumers such as power houses and fertilizer factory.

Inter-University Board Meeting

135. Shri Sidheshwar Prasad: Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that a meeting of the Inter-University

Board was recently held at Mysore to discuss the question of disaffiliation of the Universities of Andhra State;

(b) whether the question of the abridgement of the autonomy of the Calcutta University was also considered;

(c) if so, the decisions taken on them; and

(d) other items discussed and the decision taken thereon?

The Minister of Education (Shri M. C. Chagla): (a) The Inter University Board at its annual meeting discussed among other subjects, the question of recent amendments to Andhra Pradesh University Bills.

(b) Yes, Sir.

(c) The Board resolved that before taking any further steps in the matter, a Committee should be appointed to review the provisions in the different University Acts and the innovations that have been made which are detrimental to academic efficiency and the honour and dignity of universities. It will suggest ways and means by which things can be improved so as to establish cordial relations with the Government of the day consistent with the position of the Universities.

The Board resolved further that a joint meeting of the representatives of the Inter-University Board and the University Grants Commission should be sought to be convened early in March to consider the various aspects of the problem in the light of the recommendations made by the Standing Committee of the Board and on the basis of the report of the Sub-Committee.

(d) Other items discussed by the Board were:—

I. Constitution and Functioning of Universities.

II. Recognition and Equivalence of Institutions and Degrees.

III. Functions of the Inter-University Board.

IV. Grants to Universities.

V. Language Policy.

VI. Litigation and discipline in the University.

VII. Pattern of Education.

VIII. Conditions of Service of Professors|Teachers.

IX. Report of the Special Committee on Private Appearance of candidates.

X. Subjects and Examinations:—Reform of curriculum and Examination.

XI. N. C. C. and Sports.

XII. Other procedural matters.

XIII. Miscellaneous.

The finalised proceedings of the Inter-University Board meeting have not so far been received.

Propagation of Hindi and other Languages

136. Shri Sezhiyan: Will the Minister of Education be pleased to state:

(a) the amounts allocated and spent in the years 1963-64, 1964-65 and 1965-66 so far, for propagation and development of (i) Hindi and (ii) other languages mentioned in the Eighth Schedule of the Constitution?

The Deputy Minister in the Ministry

of Education (Shri Bhakt Darshan):

(a) the required information is furnished below:

	Sanctioned Budget allocation	Actual amount spent
	1963-64	
Hindi . .	51,96,000	50,30,683
Sanskrit . .	9,34,000	12,36,000
Other Modern Indian Languages . .	11,30,000	6,12,000
	1964-65	
Hindi . .	81,86,300	2,44,94,850
Sanskrit . .	18,04,000	16,80,000
Other Modern Indian Languages . .	16,00,000	5,67,000
	1965-66	
Hindi . .	2,07,42,300	1,70,00,000*
Sanskrit . .	25,45,000	23,18,000*
Other Modern Indian Languages . .	12,00,000	10,00,000*

*Anticipated expenditure. Figures of actual expenditure will be available only after the close of the current financial year.

Mysore High Court Judgement

137. Shri P. C. Borooah:
Shri M. L. Dwivedi:
Shri Bhagwat Jha Azad:
Shri Subodh Hansda:
Shri S. C. Samanta:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government's attention has been drawn to the Mysore High Court's Judgement of the 19th December, 1965 declaring certain provisions of the Mysore Government Servants' Conduct Rules as being violative of Article 19;

(b) whether similar provisions exist in the Central Government Servants' Conduct Rules; and

(c) if so, the steps being taken to modify the same in the light of the said judgement?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): (a) to (c). Press reports regarding the Judgement of the Mysore High Court have come to the notice of Government. The exact position is being ascertained from the Mysore Government and such further action as may be necessary, will be taken on receipt of the reply from the State Government.

जपूसी (नेफा) में पंचायतें तथा जिला परिषदें

138. डा० राम मनोहर लोहिया :
श्री बागड़ी :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने उर्वशीयम (नेफा) में स्थानीय पंचायतों तथा जिला परिषदों के सदस्यों के, जिनको वहां पर क्रमशः बुन्यों तथा बनगुम्बा कहा जाता है, कार्यों का अध्ययन किया है ; और

(ख) यदि हां, तो उक्त संस्थाओं तथा तत्समान संस्थाओं को कब तक कानूनी रूप से मान्यता दी जायेगी ?

गृह-कार्य मंत्रालय में राज्य मंत्री तथा प्रतिरक्षा मंत्रालय में प्रतिरक्षा संभरण मंत्री (श्री हाथी) : (क) जी, हां। मई, 1964 में आसाम के राज्यपाल ने उत्तर-पूर्व सीमान्त अभिकरण में स्थानीय स्वायत्त शासन के विस्तार एवं विकास के बारे में विचार करने के लिये एक समिति का निर्माण किया था। समस्त उत्तर-पूर्वी सीमान्त अभिकरण में वर्तमान स्थानीय जन-जातीय संस्थाओं की गतिविधियों का अध्ययन करने के बाद समिति ने ग्राम, अंचल तथा जिला स्तर पर ग्राम पंचायतों, अंचल समितियों तथा जिला परिषदों जैसे लोक-

तांत्रिक संगठनों के निर्माण की सिफारिशें की हैं। अब ये सिफारिशें विचाराधीन हैं।

(ख) कोई निश्चित समयावधि निर्धारित नहीं की जा सकती है।

अपहृत बच्चों की खोज

139. श्री बागड़ी :
श्री विश्राम प्रसाद :
डा० राम मनोहर लोहिया :
श्री किशन पटनायक :
श्री बशपाल सिंह :
श्री रामधन्न उंलाका :
श्री धुलेश्वर मीना :

क्या गृह-कार्य मंत्री 3 नवम्बर, 1965 के अतारांकित प्रश्न संख्या 17 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या पुलिस खोये हुए बच्चों का पता लगाने में सफल हुई है ; और

(ख) यदि हां, तो उसका विवरण क्या है ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री पु० शे० नास्कर) : (क) और (ख). दिल्ली पुलिस द्वारा अथक चेष्टा के बावजूद खोये हुए बच्चों का कुछ पता नहीं चला। मामले को दाखिल दफ्तर किया जा रहा है।

Indoor Stadium at Talkatora Gardens

140. **Shri Bhagwat Jha Azad:**
Shri M. L. Dwivedi:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shri P. C. Borooah:
Shrimati Savitri Nigam:

Will the Minister of **Education** be pleased to state:

(a) whether there is any proposal to build an indoor Stadium at Talkatora Gardens by N.D.M.C.; and

(b) whether the Central Government have been approached for any grant for this proposal?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) Yes, Sir.

(b) The Delhi Administration has been approached by the N.D.M.C. for a grant-in-aid to enable it to meet one-third of the cost of the project.

Return of Holdings by Service Personnel

141. **Shri Bhagwat Jha Azad:**
Shri M. L. Dwivedi:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shrimati Savitri Nigam:
Shri P. C. Borooah:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government have suggested to the Orissa Government to extend the period of submission of return of the holdings by the land holders who are now on active service; and

(b) if so, the reaction of the State Government thereto?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) Yes.

(b) The matter is under consideration of the State Government.

Criminals Operating on Delhi—U.P. Border

142. **Shri Rameshwar Tantia:**
Shri Himatsingka:
Shri Onkar Lal Berwa:
Shri Lahiri Chaudhry:
Shri Narayan Reddy:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that recently joint operations were launched by the Delhi and U.P. Police to

apprehend criminals operating on the border of the two States;

(b) if so, how far this joint scheme has helped to check criminals and dacoits in the two States; and

(c) whether this Joint Scheme is likely to be introduced in other States also?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): (a) Yes, Sir.

(b) and (c). It is usual for senior police officers of neighbouring States to discuss problems regarding cases of dacoities, illicit distillation, smuggling etc. and to carry out investigations in a coordinated manner.

Repairs of Holy Places

143. Shri Rameshwar Tantia:
Shri Himatsingka:
Shri Lahtan Chaudhry:
Shri Narayan Reddy:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that Government have decided that voluntary organisations may be asked to collect money for repairs of holy places damaged by Pakistanis aggression in the recent conflict;

(b) if so, whether any estimate has been made in this regard;

(c) the total number of holy places destroyed by the Pakistani bombing; and

(d) the final decision taken in this regard?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) No decision to ask voluntary organisations has been taken, but it is proposed to issue an appeal to the public for contributions for rebuilding the places of worship.

(b) to (d). The State Governments concerned have been requested to assess the damage and the probable cost of reconstruction. Information when collected will be laid on the Table.

All India Education Conference

144. Shri Rameshwar Tantia:
Shri Himatsingka:
Shri Onkar Lal Berwa:
Shri Lahtan Chaudhry:
Shri Narayan Reddy:
Shri Ram Sewak Yadav:
Shri Bagri:

Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that an All India Education Conference was held in December, 1965 at Allahabad;

(b) if so, what were the main subjects discussed in the conference; and

(c) the decisions arrived at?

The Minister of Education (Shri M. C. Chagla): (a) The All India Fedration of Educational Associations convened this conference at Allahabad.

(b) and (c). The proceedings of the Conference have not been received by the Government so far.

Gandhi Centenary Celebrations

145. Shri Rameshwar Tantia:
Shri Himatsingka:
Shri Narayan Reddy:
Shri Onkar Lal Berwa:

Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that the National Committee for Gandhi Centenary Celebrations have decided to hold an international exhibition on the life of Mahatma Gandhi in different parts of the world;

(b) if so, the countries where this exhibition is proposed to be held; and

(c) the assistance which Government propose to give to them?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) No, Sir.

(b) and c). Do not arise.

"कुशल आपरेटरों" का वेतन-क्रम

146. **श्री किशन पटनायक :**
श्री मधु लिमये :
डा० राम मनोहर लोहिया :
श्री डागड़ी :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) वेतन आयोग ने वैज्ञानिक तथा औद्योगिक गवेषणा परिषद् के कुशल आपरेटरों के क्या वेतन-क्रम निर्धारित किये हैं ;

(ख) कितनी प्रयोगशालाओं में यह वेतन-क्रम लागू किया गया है ;

(ग) क्या यह सच है कि राष्ट्रीय भौतिकीय प्रयोगशाला के कर्मचारियों को यह वेतन-क्रम नहीं दिये गये हैं क्योंकि उनके पद का नाम कुशल आपरेटर से बदल कर आपरेटर प्रशिक्षार्थी कर दिया गया है ; और

(घ) यदि हां, तो इस मामले में क्या कार्यवाही किये जाने का विचार है ?

शिक्षा मंत्री (श्री मु० क० झागला): (क) वेतन आयोग की सिफारिशें, उसी तथ्य से, वैज्ञानिक और औद्योगिक अनुसन्धान परिषद पर लागू नहीं होती हैं, क्योंकि परिषद एक स्वायत्त-शासी संगठन है । फिर भी, वैज्ञानिक और औद्योगिक अनुसन्धान परिषद ने अपने अधीन विभिन्न पदों के वेतन मान वेतन आयोग की सिफारिशों के अनुसार संशोधित किये हैं । तदनुसार, परिषद् के विभिन्न वर्गों के प्रचालकों (आपरेटरों) पर लागू 35–1–40–2–60, 60–5/2–75 और 60–5/2–75–3–105 रु० के वेतन मानों को क्रमशः 80–1–85–2–95 कु० रा०–3–110, 110–3–131 और 110–3–131–4–143– कु० रा० 4–155 रु० में संशोधित कर दिया गया था ।

(ख) वै० औ० अ० प० के अधीन सभी राष्ट्रीय प्रयोगशालाओं/संस्थानों ने, जहां-जहां ये पद विद्यमान हैं, नए वेतन-मानों को अपना लिया है ।

(ग) और (घ). 80–1–85–2–95–कु० रो० 3–110 का संशोधित वेतनमान, राष्ट्रीय भौतिक प्रयोगशाला, नई दिल्ली के उन प्रचालकों पर भी जो 35–1–40–2–60 रु० के वेतन मान में थे, लागू कर दिया गया था । किन्तु इस संशोधित वेतनमान के प्रचालकों (कुशल) के 80 पदों में से 60 पदों का नाम उनके वेतनमान में परिवर्तन किए बगैर बदलकर प्रचालक प्रशिक्षार्थी (कुशल) रख दिया गया और 20 पदों को नीचे बताए अनुसार उच्च कोटि का कर दिया गया :—

पद	पदों की संख्या	वेतन-मान
1. प्रवर प्रचालक	10	110–3–131–4–143 कु० रो० 4–155 रु०
2. अवर प्रचालक	10	110–3–131 रु०

Delhi and Himachal Pradesh Civil and Police Service

147. **Shri Shiv Charan Mathur:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that deputationists from the States of U.P. and Punjab have ben absorbed in Delhi

and Himachal Pradesh Civil and Police services;

(b) whether deputationists from other States are not allowed to opt for the above Services; and

(c) if so, the reasons therefor?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): (a) to (c). The Delhi and Himachal Pradesh Civil Service was constituted on the 15th March, 1961 and the Delhi and Himachal Pradesh Police Service on the 30th March, 1961. According to the rules of these cadres, appointments to these services at their initial constitution were to be made among officers who were holding posts included in the services on the dates of the constitution of these services. So far as the Delhi and Himachal Pradesh Civil Service was concerned, some posts included in the Service were held on the date of the constitution of the Service by a few officers belonging to Governments of Punjab and Uttar Pradesh; there were at that time no deputationists from other States. Out of these deputationists from Punjab and Uttar Pradesh, those who were willing to join the Delhi and Himachal Pradesh Civil Services and in whose cases the State Governments concerned agreed to their absorption in the Service, were considered for appointment to the Service.

So far as the Delhi and Himachal Pradesh Police Service was concerned, some of the posts included in the Service were held by deputationists from Punjab, Uttar Pradesh, Maharashtra and Rajasthan. Similarly, out of these deputationists, those who were willing to be considered for absorption in the Delhi-Himachal Pradesh Police Service and in whose cases the State Governments concerned agreed to their absorption in the Service were considered for appointment to the Service.

The Delhi and Himachal Pradesh Civil and Police Services Rules further provided that if sufficient number of suitable officers were not available from among those who were holding posts included in the Services on the dates of the constitution of these services, other officers holding equivalent posts in the States of Punjab and Uttar Pradesh on the date of the constitution of the Delhi-Himachal Pradesh Civil and Police Services, could also be considered for absorption in these services. In accordance with these provisions, officers of the Governments of Punjab and Uttar Pradesh who were will be considered for absorption in the Delhi-Himachal Pradesh Civil and Police Services and in whoses cases the State Governments concerned agreed to their absorption, were considered for appointment to the Services. Appointments to the Delhi-Himachal Pradesh Civil and Police Services were made by selection on the recommendations of the Selection Committee prescribed over by a Member of the Union Service Commission.

Drilling in Jwalamukhi

148. Shri Hem Raj:
Shri Daljit Singh:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) the number of deep drilling wells sunk so far in the Jwalamukhi area in Punjab; and

(b) the number of wells which have given results either of oil or gas and their estimated commercial value?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) One deep well has been drilled and two more are under drilling at present.

(b) The first well indicated the presence of natural gas but as the well could not be tested properly, the commercial significance of the gas show, could not be determined. Indications of the presence of natural gas have been obtained in another well, but their significance will be known only after the well has been completed and tested.

चलचित्रों के अश्लील इश्तहार

149. डा० राम मनोहर लोहिया :
श्री बागड़ी :
श्री रामसेवक यादव :
श्री किशन पटनायक :
श्रीमती सावित्री निगम :
श्री यशपाल सिंह :

क्या गृह-कार्य मंत्री 10 नवम्बर, 1965 के अतारांकित प्रश्न संख्या 327 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि सरकार ने फिल्मों के अर्धनग्न चित्रों (फोटो) वाले इश्तहारों के प्रदर्शन पर प्रतिबन्ध लगाने के लिए क्या कार्यवाही की है ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री पू० शे० नास्कर): जैसा कि पहले ही 10 नवम्बर 1965 को बताया जा चुका है सरकार के सामने ऐसा कोई प्रस्ताव खास तौर पर विचाराधीन नहीं है । हां अश्लीलता सम्बन्धी कानून को अधिक प्रभावी बनाने के लिये उसमें आम संशोधन का प्रश्न अभी तक विचाराधीन है ।

Arrests under D.I.R. in Delhi State

150. Shri Gulshan: Will the Minister of **Home Affairs** be pleased to state:

(a) the number of persons arrested under D.I.R. in Delhi State during the months of August and September, 1965;

(b) the number of persons acquitted after or before trial; and

(c) the number of persons still under trial?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) 21.

(b) 2

(c) 13.

Assam Hill Districts Commission Report

151. Shrimati Renuka Barkataki:
Shri P. C. Borooah:
Shri Vishwa Nath Pandey:
Shri Ravindra Varma:
Shri R. S. Pandey:
Shri Rajeshwar Patel:
Shri Yashpal Singh:
Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:
Shri R. Barua:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether the Assam Hill Districts Commission has submitted its report to Government;

(b) if so, the main recommendations of the Commission; and

(c) Government's decision thereon?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) No, Sir.

(b) and (c) Do. not arise.

केन्द्रीय सरकार के कर्मचारियों को हिन्दी का शिक्षण

152. श्री म० ला० द्विवेदी :
श्री भागवत झा आजाद :
श्री सुबोध हंसदा :
श्री स० चं० सामन्त :
श्री प्र० चं० बरुआ :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंग कि :

(क) केन्द्रीय सचिवालय के कर्मचारियों को हिन्दी का शिक्षण देने के सम्बन्ध में क्या प्रगति हुई है और क्या कक्षाओं की संख्या बढ़ाई गई है ;

(ख) इस कार्यक्रम के प्रारम्भ होने के समय से लेकर अब तक कितने कर्मचारियों ने हिन्दी शिक्षण पूरा कर लिया है और कितने कर्मचारी हिन्दी नहीं सीख पाये ;

(ग) क्या हिन्दी न सीख सकने वाले कर्मचारियों के लिये अब कक्षाओं की व्यवस्था नहीं की जाती है ; और

(घ) यदि हां, तो उस के क्या कारण हैं ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री पू० शे० नास्कर):(क) 1959–60 में शिक्षार्थियों की संख्या 16,000 थी । 1964–65 में यह संख्या बढ़ कर 44,000 हो गई। हिन्दी शिक्षण केन्द्रों तथा कक्षाओं की संख्या भी बढ़ गई है ।

(ख) एक या अधिक पाठ्यक्रमों का शिक्षण पूरा कर लेने वाले 3 लाख केन्द्रीय सरकारी कर्मचारियों में से 1.7 लाख ने निर्धारित परीक्षाएं पास कर लीं । लगभग 2.7 लाख कर्मचारियों को अभी शिक्षण दिया जाना है ।

(ग) इस मंत्रालय की हिन्दी शिक्षण योजना के अधीन प्राप्त सुविधाएं अभी तक जारी हैं ।

(घ) प्रश्न ही नहीं उठता ।

सरकारी कर्मचारियों की संख्या में वृद्धि

153. श्री म० ला० द्विवेदी :
श्री प्र० चं० बरुआ :
श्री भागवत झा आजाद :
श्री स० चं० सामन्त :
श्री सुबोध हंसदा :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) 1952 के पश्चात भारत सरकार के विभिन्न मंत्रालयों तथा विभागों में कर्मचारियों तथा अधिकारियों की संख्या में अत्यधिक वृद्धि के क्या कारण हैं ;

(ख) क्या 1952 के पश्चात् प्रत्येक विभाग तथा मंत्रालय में भरती किये गये तथा नियुक्त किये गये कर्मचारियों तथा अधिकारियों की संख्या दिखाने वाला एक विवरण सभा पटल पर रखा जायेगा ;

(ग) विभिन्न मंत्रालयों तथा विभागों में इस समय पूरे समय काम करने वालों तथा केवल थोड़े समय के लिये काम करने वाले कर्मचारियों की अलग संख्या क्या है और उन्हें पूरे समय का काम देने अथवा उनकी संख्या कम करने के लिए क्या कार्यवाही की जा रही है ; और

(घ) फालतू अथवा ऐसा कार्य करने वाले कर्मचारियों तथा अधिकारियों की संख्या क्या है जिसे आपातकाल की दृष्टि से इस समय स्थगित किया जा सकता है और क्या उन्हें इन मंत्रालयों तथा विभागों से हटाने तथा उन्हें कोई अन्य कार्य सौंपने का कोई प्रस्ताव सरकार के विचाराधीन है ?

गृह-कार्य मंत्रालय में राज्य-मंत्री तथा प्रतिरक्षा मंत्रालय में प्रतिरक्षा संभरण मंत्री (श्री हाथी) : (क) और (ख). सरकारी कर्मचारियों की संख्या में वृद्धि का कारण कल्याणकारी राज्य की गतिविधियों का विस्तार है । कर्मचारियों तथा अधिकारियों की संख्या के बारे में सूचना विभिन्न मंत्रालयों तथा विभागों से एकत्रित की जा रही हैं, और पूरी सूचना उपलब्ध होते ही सदन के सभा-पटल पर एक विवरण रख दिया जायगा।

(ग) अतिरिक्त कर्मचारियों की मंजूरी देने से पूर्व, आवश्यकता की, सावधानी से जांच की जाती है ।

जब कभी वित्त मंत्रालय की कर्मचारी–निरीक्षण यूनिट और गृह मंत्रालय के प्रशासनिक सुधार विभाग द्वारा किये गए कार्य मापों तथा संगठनात्मक अध्ययनों से फालतू कार्य शक्ति का पता चलता है, तब उपयुक्त संख्या में कर्मचारी फालतू घोषित कर दिये जाते हैं ।

(घ) फालतू कर्मचारियों का पता विधिवत् अध्ययनों द्वारा चलाया जाता है। इन अध्ययनों में उन गतिविधियों तथा कार्यों का अध्ययन किया जाता है जो आपातकालीन स्थिति के कारण या अन्यथा ही फालतू घोषित हो जायें या स्थगित की जा सकें। फालतू घोषित कर्मचारियों के बारे में कार्यवाही करने के लिये गृह-मंत्रालय में एक केन्द्रीय कोषा स्थापित किया जा रहा है। यह कोषा उन्हें उपयुक्त पदों पर नियुक्त करायेगा और यदि जरूरत हुई, तो उन्हें आशुलिपि अथवा लेखाकारिता जैसे अन्य कार्यों का प्रशिक्षण देगा।

भारत सरकार के अधीन आयोग

154. श्री म० ला० द्विवेदी :
श्री प्र० चं० बरुआ :
श्री भागवत झा आजाद :
श्री स० चं० सामन्त :
श्री सुबोध हंसदा :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) भारत सरकार के अधीन कुल कितने आयोग काम कर रहे हैं और उनका कार्यकाल क्या है ;

(ख) क्या इन आयोगों के कर्मचारियों तथा पदाधिकारियों के पास पूरे दिन का काम रहता है और यदि नहीं, तो कर्मचारियों की छटनी करने अथवा इन आयोगों को सौंपे गये कार्य को शीघ्र समाप्त करवाने के सम्बन्ध में क्या कार्यवाही की जा रही है ; और

(ग) दिसम्बर, 1965 तक जिन आयोगों ने अपने प्रतिवेदन दे दिये हैं उनके व्यय का ब्यौरा क्या है ?

गृह-कार्य मंत्रालय में राज्य-मंत्री तथा प्रतिरक्षा मंत्रालय में प्रतिरक्षा संभरण मंत्री (श्री हाथी): (क) से (ग). सूचना एकत्रित की जा रही है और उपलब्ध होते ही सदन के मेज-पटल पर रख दी जायगी।

Durgapur Fertiliser Factory

155. **Shri Subodh Hansda:**
Shri S. C. Samanta:
Shri Bhagwat Jha Azad:
Shri M. L. Dwivedi:
Shri P. C. Borooah:
Shri Sidheshwar Prasad:

Will the Minister of **Petroleum and Chemicals** be pleased to refer to the reply given to Starred Question No. 428 on the 24th November, 1965 and state:

(a) whether the foreign exchange needed for the Durgapur fertiliser factory has since been fully sanctioned by the Central Government; and

(b) if not, the reasons therefor?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) and (b). Not yet. Arrangements for meeting the foreign exchange cost under suppliers credit either from Japan or Italy are being made.

Oil at Kathana in Gujarat

156. **Shri Subodh Hansda:**
Shri S. C. Samanta:
Shri Bhagwat Jha Azad:
Shri M. L. Dwivedi:
Shri P. C. Borooah:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether it is a fact that oil has been struck in the first well at Kathana in Gujarat;

(b) the number of wells yet to be sunk to complete the assessment of oil in this area; and

(c) when it will be possible to assess the commercial potentiality thereof?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) Yes.

(b) The number will depend on the results of the next wells to be drilled

(c) No indication can be given until further exploratory drilling has been undertaken.

Vacant Belt on Assam border

157. **Shri R. G. Dubey:**
Shrimati Renuka Barkataki:
Shri Ravindra Varma:
Shri R. S. Pandey:
Shri Rajeshwar Patel:
Shri Bagri:
Dr. Ram Manohar Lohia:
Shri Yashpal Singh:
Shri Karni Singhji:
Shri P. R. Chakraverti:
Shri K. N. Tiwari:
Shrimati Savitri Nigam:
Shri M. L. Dwivedi:
Shri Vishwa Nath Pandey:
Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:
Shri Sidheshwar Prasad:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that the Assam Government has pointed out the difficulty arising out of creating one-mile belt on the Assam border since it involves the removal of inhabitants from there and the question of their further settlement;

(b) whether in the course of the discussion held between the Government of India and the Government of Assam, a suggestion was made to give careful thought to put up a barbed wire fencing on the borded; and

(c) the progress made in creating the one-mile belt on Assam border?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) and (c). The State Government have made certain alternative suggestions, which are under consideration.

(b) Due to certain practical difficulties, the proposal has, for the present, been dropped.

Drilling by O.N. G.C. and Oil India Ltd.

158. **Shri R. G. Dubey:**
Shri Madhu Limaye:
Shri Yashpal Singh:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether it is a fact that the Oil and Natural Gas Commission and Oil India Ltd. have drilled nearly 360 oil producing wells so far;

(b) whether it is also a fact that the O.N.G.C. have drilled 34 gas producing wells and Oil India Ltd. 83; and

(c) if so, the location thereof and the average yield per year from these sources?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) The actual number of wells drilled is 376.

(b) The ONG Commission and Oil India Ltd., have drilled 34 and 9 gas wells respectively.

(c) Locations may not be disclosed as per the Defence of India Rules. The term "average yield per year" is not understood. But in 1965, the total oil produced in all areas was 2.86 million tonnes and the total gas was 137 million cubic metres.

Lubricating Plant, Bombay

159. **Shri S. C. Samanta:**
Shri Subodh Hansda:
Shri M. L. Dwivedi:
Shri Bhagwat Jha Azad:
Shri P. C. Borooah:
Shri Madhu Limaye:
Dr. P. N. Khan:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether an agreement has recently been signed between the Government of India and ESSO for the construction of a jointly owned lubricating oil base stock refinery at Bombay;

(b) if so, the capacity of the proposed refinery and how the products will be shared;

(c) the cost of the Project and foreign exchange involved; and

(d) the composition of the Board of management?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) Yes.

(b) The plant will be designed to manufacture 145,000 tons per annum of Lubricating oil base stocks. These products will be shared equally between Government of India or their nominee and Esso Standard Eastern Inc.

(c) The total cost is about Rs. 7.16 crores including a foreign exchange component of Rs. 4·30 crores.

(d) The Board of Directors would have 8 directors, 4 nominated by Government and 4 by Esso. In addition, Chairman and the Financial Director will be from among Government directors. The Managing Director will be a nominee of Esso.

Oil in Gangetic Plain

160. Shri S. C. Samanta:
Shdi Subodh Hansda:
Shri M. L. Dwivedi:
Shri Bhagwat Jha Azad:
Shri P. C. Borooah:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) the names of places in the Gangetic Plain where exploratory surveys were conducted, are being conducted or are proposed to be conducted for search of oil;

(b) whether the presence of interesting structural features was indicated; and

(c) if so, the type of drilling operations which are continuing?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) Regional aero-magnetic survey has been carried out over the entire area covered by the Gangetic Plain of Uttar Pradesh, Bihar and West Bengal.

Reconnaissance gravity and magnetic surveys have been carried out in parts of most of the districts of U.P. and Bihar, located north of the Ganga river, such as Aligarh, Bahraich, Bara Banki, Bareilly, Basti, Dehra Dun, Fyzabad, Etah, Ghazipur, Gorakhpur, Hathras, Kanpur, Lucknow, Moradabad, Muzaffarnagar, Pillibhit, Sahranpur, Sitapur and Unnao districts of Uttar Pradesh and Bhagalpur, Champaran, Darbhanga, Monghyr, Muzaffarpur and Purnea districts of Bihad and portions of West Bengal. Regional reconnaissance detailed seismic surveys have been carried out in most parts of the aforesaid areas.

Reconnaissance gravity and magnetic surveys are at present being conducted in the Bahraich and Gonda areas and Akbarpur-Tanda area of Fyzabad district, Uttar Pradesh, Siwan area of Chapra (Saran) district and Bagaha area of Champaran district, Bihar.

Seismic surveys are being conducted in the Mohand area, Saharanpur district, U.P. and Tamluk area of Midnapur district and Port Canning-Bodra and Bhangar-Dum Dum areas of 24 Parganas district, West Bengal.

It is proposed to cover the entire Gangetic Plain of Uttar Pardesh and Bihar by reconnaissance, gravity and magnetic surveys.

(b) Yes.

(c) Interesting structures discovered so far by these surveys have already been tested through deep drilling operations. At present deep drilling operations are not taking place in any part of the Gangetic Plain. Preparations for deep drilling in West Bengal are in progress.

Home Guards

161. Shri Yashpal Singh:
Shri Linga Reddy:
Shri Hem Barua:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether there is any proposal under consideration of Government to increase the strength of the Home Guards in the country;

(b) if so, the main features thereof; and

(c) the extra funds allocated for the same?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): (a) No such proposal is under consideration.

(b) and (c). Do not arise.

Conference of Scientists

162. Shri Yashpal Singh:
Shri P. C. Borooah:
Shri M. L. Dwivedi:
Shri Bhagwat Jha Azad:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shri Shree Narayan Das:
Shri D. N. Tiwary:
Shri Bagri:
Shri Kishen Pattnayak:
Shri Vishram Prasad:
Dr. Ram Manohar Lohia:
Shri Ram Sewak Yadav:
Shri Utiya:
Shri Dinen Bhattacharya:

Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that a conference of scientists of the National Research Laboratories and Industrial Technologists was held in New Delhi in the last week of December, 1965;

(b) whether the conference has submitted some recommendations to Government; and

(c) if so, the action taken by Government on these recommendations?

The Minister of Education (Shri M. C. Chagla): (a) Yes, Sir.

(b) and (c). The recommendations made by the 15 Working Groups of the Conference, were considered by the Conveners of the Groups at a meeting held on 7th and 8th February, 1966 with a view to finalising steps for implementation off the recommendations. Their report is under preparation.

Chief Ministers' Meeting with the Minister of Home Affairs

163. Shri Yashpal Singh: Will the Minister of **Home Affairs** be pleased to state:

(a) whether a meeting of the Chief Ministers of all the States of India was held with the Home Minister during the month of December, 1965;

(b) if so, the subjects discussed thereat; and

(c) the decisions taken in the meeting?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) No, Sir.

(b) and (c). Do not arise.

Scientific and Engineering Talent

164. Shri Yashpal Singh:
Shri Subodh Hansda:
Shri S. C. Samanta:
Shri Bhagwat Jha Azad:
Shri M. L. Dwivedi:
Shri P. C. Borooah:
Shri Hem Barua:

Will the Minister of **Education** be pleased to state:

(a) whether the question of replacing 80 per cent of the foreign experts in industrial technology by scientific and engineering talent now available in India has since been considered by Government as suggested by the Director-General Council of Scientific and Industrial Research;

(b) if so, the estimated amount of foreign exchange expected to be saved by this proposal; and

(c) the action so far taken or proposed to be taken by Government in this regard?

The Minister of Education (Shri M. C. Chagla): (a) No, Sir. The Director-General, Council of Scientific & Industrial Research had in fact referred to "Foreign expertise" and not "Foreign experts." At a Press Conference held on 22nd December, 1965, the Director-General had observed that 80 per cent of the "Technical know-how" for industrial development in many of the industries was available in the country and could be utilised for industrial development.

(b) and (c). Do not arise.

Textile Mill for Jagdalpur

165. **Shri Balmiki:**
Shri Yashpal Singh:
Shri Bagri:
Dr. Ram Manohar Lohia:
Shri Bhagwat Jha Azad:
Shri M. L. Dwivedi:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shri P. C. Borooah:
Shrimati Savitri Nigam:
Shri Vishwa Nath Pandey:

Will the Minister of **Labour, Employment and Rehabilitation** be pleased to refer to the reply given to the Unstarred Question No. 819 on the 17th November, 1965 and state the further progress made in establishing the Textile Mill at Jagdalpur under the Rehabilitation Industries Corporation in Dandakaranya?

The Minister of Labour, Employment and Rehabilitation (Shri Jagjivan Ram): The site for the Spinning Mill has been selected and preliminary development of the land has been taken in hand. Quotations for machinery have been obtained and selection of machinery is expected to be finalised shortly.

Socio-Economic Survey of NEFA

166. **Shri Balmiki:**
Shri Yashpal Singh:
Shri Bagri:
Dr. Ram Manohar Lohia:
Shri Vishwa Nath Pandey:
Shri Dhuleshwar Meena:
Shri Ramachandra Ulaka:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 814 on the 17th November, 1965 and state:

(a) whether the Socio-economic survey of NEFA has since been completed;

(b) if so, the results thereof; and

(c) the action taken by Government in this regard?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) to (c). It is understood that the survey conducted by the National Council of Applied Economic Research has been completed. A preliminary report prepared by the Council has been sent to the NEFA Admn. and on receipt of their comments, the report will be finalised.

Arms to People in Border Areas

167. **Shri Yashpal Singh:**
Shri Bagri:
Dr. Ram Manohar Lohia:
Shri Daljit Singh:
Shri Krishnapal Singh:

Will the Minister of **Home Affairs** be pleased to state:

(a) the progress so far made in the scheme to provide light machine guns and other weapons to the people living in the border areas; and

(b) by what time the work is likely to be completed?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) and (b). The creation of a wing under the Home Guards scheme to cover the

border areas has been under active consideration of Government for sometime now and provision of weapons to selected persons will be made only within the scope of this scheme.

Progress will be reviewed only after the scheme is implemented.

Recognition of Unions

168. **Shri Balmiki:**
Shri Yashpal Singh:
Shri Bagri:
Dr. Ram Manohar Lohia:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 780 on the 17th November, 1965 and state:

(a) whether the draft instructions for recognition of associations and unions for joint consultation scheme had been sent to the Ministries for their comments; and

(b) whether these instructions are proposed to be extended for other purposes also?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) Yes.

(b) The matter is still under consideration.

Gazetteer of India

169. **Shri Balmiki:**
Shri Yashpal Singh:
Shri Bagri:

Will the Minister of **Education** be pleased to state:

(a) whether any up-to-date edition of the Gazetteer of India has since been prepared and issued;

(b) whether all the volumes of the new Gazetteer have since been published; and

(c) if not, the time by which the work relating to publication of the Gazetteer will be completed?

The Minister of Education (Shri M. C. Chagla): (a) The first volume of the Gazetteer of India—"Country and People"—has been published.

(b) The second volume is being edited. Some of the contributions for Volumes III & IV have also been received.

(c) All the four volumes of the Gazetteer of India are likely to be published before the end of the the Fourth Plan period.

Inter-State Disputes

170. **Shri Kishen Pattnayak:**
Shri Yashpal Singh:
Shri Balmiki:
Shri Madhu Limaye:
Shri Bagri:
Dr. Ram Manohar Lohia:
Shri Vishwa Nath Pandey:
Shri M. S. Murti:
Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:
Shri Hari Vishnu Kamath:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No. 277 on the 17th November, 1965 and state:

(a) whether any decision has since been taken for setting up a Government machinery to settle disputes among the State Governments; and

(b) if so, the broad features thereof?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) and (b). The matter is still under consideration.

Stagnation in Clerks'/Assistants' Grades

171. **Shri S. M. Banerjee:**
Shri Yashpal Singh:
Shri Balmiki:
Shri Bagri:
Dr. Ram Manohar Lohia:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No. 717 on the 8th December, 1965 and state:

(a) whether any Committee has been set up to go into the question of stagnation in the Clerks' and Assistants' Grades in the Central Secretariat;

(b) if so, the terms of reference of the Committee; and

(c) when the Committee is likely to submit its report?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): (a) A Co-ordinating Committee at Joint Secretaries' level has already been in existence since 1967, charged with the responsibility of examining problems concerning the terms and conditions of service and conditions of work of the Central Secretariat Service officers that cannot be resolved in the appropriate Staff Councils. This Committee is being asked to look into the various matters agitated from time to time in the recent past in the various Staff Council as also by Services Associations, including the question of stagnation in the Clerks and Assistants grade.

(b) As the functions of the Co-ordinating Committee already stand definded so as to embrace all matters pertaining to the conditions of service and work of the Central Secretariat Services, no formal terms of reference are considered necessary.

(c) As soon as possible.

Profit of Central Government Employees consumer Cooperative Stores Ltd.

172. **Shri Kishen Patinayak:**
Shri Yashpal Singh:
Shri Balmiki:
Shri Bagri:
Dr. Ram Manohar Lohia:
Shri Ram Sewak Yadav:

Will the Minister of **Home Affairs** be pleased to state:

(a) the total profits made so far by the Central Government Employees Consumer Cooperative Stores Ltd., New Delhi since its inception;

(b) whether Government propose to decrease the expenditure of the Stores on staff; and

(c) if so, the percentage of staff proposed to be reduced?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): (a) The Central Government Employees Consumer Co-operative Society Ltd., came into being on the 1st July, 1963. The profits of the Society for the first year, which ended on 30-6-1964, were Rs. 1,30,300.90. The accounts of the second year, which ended on 30-6-1965, are being audited.

(b) and (c). The staff employed is the minimum necessary. However, as a measure of economy, vacant posts are not being filled.

Annual Meeting of Central Government Employees Consumer Co-operative Stores

173. **Shri Warior:**
Shri Yashpal Singh:
Shri Balmiki:
Shri Bagri:
Dr. Ram Manohar Lohia:
Shri Vishram Prasad:
Shri Kishen Pattnayak:
Shri Ram Sewak Yadav:
Shri Utiya:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government have exempted the Central Government

Employees Consumer Cooperative Stores Ltd., New Delhi from holding its annual general meeting as required under the Companies Act;

(b) if so, the reasons for allowing such an exemption; and

(c) when the annual general meeting is likely to be held?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): (a) to (c). The Central Government Employees Consumer Co-operative Society, Ltd., New Delhi, is governed by the Bombay Co-operative Societies Act, 1925, as in force in the Union Territory of Delhi, and not by the Companies Act. The Chief Commissioner, Delhi, has issued a notification exempting the Society until 31st July, 1966, from the operation of certain provisions of the former Act including the provision for holding an annual general meeting.

Petro-Chemical Complex

174. Dr. L. M. Singhvi:
Shri Linga Reddy:
Shri Madhu Limaye:
Shri P. C. Borooah:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether Government have drawn up a perspective plan for the development of petro-chemical complexes in India;

(b) if so, the particulars thereof; and

(c) whether in this connection the utilisation and substitution potentials of petro-chemicals have been fully studied; and

(d) if so, with what results?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) and (b). Yes. A tentative plan for the development of petrochemicals till 1975-76 has been drawn up. It envisages the fulfilment of the following targets of production in respect of major petrochemical intermediates by setting up new units and expanding the existing ones in various parts of the country:

Item	Desirable production level by 1975-76 (in'000 tons) per year
1. Polyethylene	240
2. Polyvinyl Chloride	240
3. Polystyrene	80
4. Caprolactam	73
5. D.M.T.	60
6. Acrylonitrile	45
7. Vinyl Acetate	92
8. Ethylene Oxide	35
9. Phthalic anhydride	60

(c) and (d). An end-use survey of the petrochemicals proposed to be manufactured during the Fourth Plan has been made. It has been decided to establish speedily the required processing and fabrication capacity in the country. The substitution potentials of plastics, synthetic fibres, synthetic rubbers and synthetic detergents are well recognised and it is proposed to exploit these potentials in a planned and systematic manner.

Hindi Salahkar Samiti

175. Dr. L. M. Singhvi:
Shri M. L. Dwivedi:
Shri P. C. Borooah:
Shri Bhagwat Jha Azad:
Shri Subodh Hansda:
Shri S. C. Samanta:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 1209 on the 1st September, 1965 and state:

(a) whether the Hindi Salahkar Samiti has since made any further suggestions and recommendations for advancing the cause of Hindi;

(b) if so, the details thereof; and

(c) the reaction of Government thereto and how far these recommendations have been implemented?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): (a) to (c). A meeting of the Sub-Committee on the use of Hindi for official work in the Hindi-speaking States was held in November, 1965. A statement showing its recommendations together with the Government's reactions thereon, laid on the Table. [*Placed in Library, See* No. LT-5453/66].

Civil Defence Training for Students

176. **Shri Bagri:**
Dr. Ram Manohar Lohia:
Shri Yashpal Singh:
Shri P. R. Chakraverti:
Shri K. N. Tiwary:
Shri Bibhuti Mishra:

Will the Minister of **Education** be pleased to state:

(a) whether Government have prepared a scheme under which students above fourteen years of age are to be trained in various jobs connected with Civil Defence;

(b) whether this scheme is proposed to be extended to all States; and

(c) if so, the reaction of the State Governments thereto?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) and (b). The Government of India have impressed on the Governments of the States and Union Territories the desirability of imparting training to school students in civil defence measures. In this connexion, the scheme launched by the Directorate of Education, Delhi Administration, was commended to their notice and they were advised to adopt a similar scheme covering the schools in their States.

(c) The reaction of the State Governments, generally speaking, has been favourable, most of whom have stated that the Delhi scheme was being examined by them with a view to taking appropriate action.

Blowing up of Imphal Bridge

177. **Shri Bagri:**
Dr. Ram Manohar Lohia:
Shri Yashpal Singh:
Shri Vishwa Nath Pandey:
Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No. 743 on the 8th December, 1965 regarding blowing up of Imphal Bridge by Naga Hostiles and state:

(a) whether the investigation has since been completed;

(b) if so, the findings thereof; and

(c) the action taken by Government in the matter?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) Yes, Sir.

(b) and (c). On completion of investigation charge sheet has been submitted to Court against 12 persons and the case is *sub-judice*.

Enquiry against Police Inspector, Chethannoore

178. **Shri Bagri:**
Dr. Ram Manohar Lohia:
Shri Yashpal Singh:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 2018 on the 8th December, 1965, regarding the enquiry against Inspector of Police, Chethannoore, and state:

(a) whether any report of inquiry

has since been received from the State Government; and

(b) if so, the details thereof and action taken in the matter?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): (a) and (b). The Assistant Collector, Quilon, conducted enquiry into the allegations against Sub-Inspector of Police Chathannoore, and reported that there was a *prima facie* case against the Sub-Inspector of Police of having unduly assaulted the petitioner while under arrest. The Government of Kerala have accepted the finding. Action is being taken against the Sub-Inspector under the Kerala Police Departmental Inquiries, Punishment and Appeal Rules.

Standard of English

179. Shri Madhu Limaye:
Shri Kishen Pattnayak:
Dr. Ram Manohar Lohia:
Shri Hem Barua:

Will the Minister of **Education** be pleased to state:

(a) whether the University Grants Commission intend making knowledge of English up to a "minimum standard" as a condition for admission to a University;

(b) whether Government are aware of the present standard of English in the schools; and

(c) if so, the steps proposed to be taken to achieve the above objective?

The Minister of Education (Shri M. C. Chagla): (a) The Standards Committee as well as the English Review Committee, set up by the University Grants Commission have *inter-alia* stressed the need for the Universities to insist on a certain ability on the part of students to speak and write English and also the need for strengthening the teaching of English in high schools. The Commission have circulated the reports of these Committees to the Universities for observations and comments;

(b) Yes, Sir.

(c) The major steps taken to raise the standard of English are:

(i) The setting up of the Central Institute of English at Hyderabad to improve the teaching of English in schools and colleges both through the organisation of research in the teaching of English and the training of teachers in suitable techniques, and of State Institutes of English/English Language Teaching in the States.

(ii) Bringing about of changes in curricula of English in secondary schools and also in the testing procedure adopted by Boards of Secondary Education.

(iii) Production of suitable texts and teaching materials in English.

(iv) Utilisation of the services of the British and American experts in the teaching of English.

Reorganisation of Districts in States

180. Shri Madhu Limaye: Will the Minister of **Home Affairs** be pleased to state:

(a) how many States have under consideration schemes of reorganisation of districts and sub-divisions;

(b) whether the Centre's advice or financial assistance has been sought for in the matter; and

(c) if so, the reaction of the Central Government thereto?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) to (c). The required information is being obtained from the State Governments and will be laid on the Table of the House.

District Re-organisation in Bihar

181. Sh i Madhu Limaye: Will the Minister of **Home Affairs** be pleased to state:

(a) whether the Bihar Government have formulated any scheme of district and sub-divisional reorganisation;

(b) the additional expenditure involved in the scheme;

(c) whether Central Government were consulted in the matter;

(d) whether any financial help was sought for; and

(e) if so, the reaction of the Central Government in the matter?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Sh·i Hathi): (a) to (e). The required information is being obtained from the Government of Bihar and will be laid on the table of the House.

लड़कियों को बहकाना

182. **श्री मधु लिमये :** क्या गृह-कार्य मंत्री यह बताने कि कृपा करेंगे कि :

(क) क्या लड़कियों को विदेशों में भेजने के लिये कोई गिरोह अन्तर्राज्यीय स्तर पर उन्हें बहकाने का कार्य कर रहा है ;

(ख) क्या इस सम्बन्ध में वाराणसी, रक्सौल और झांसा में कोई गिरफ्तारियां की गई हैं ; और

(ग) यदि हां, तो उसका ब्यौरा क्या है ।

गृह-कार्य मंत्रालय में उप-मंत्री (श्री पू० शे० नाइक्कर) : (क) जी नहीं ।

(ख) और (ग). चार लड़कियां वाराणसी नगर में स्थित अपने मकान से 13-12-1965 को 4 व्यक्तियों के साथ गायब हो गई । वे बिहार के मुंगेर जिले में झांसा गये थे किन्तु पुलिस दल के पकड़ पाने से पहले ही वे काटमाण्डू में भाग गए । किन्तु आखिरकार पुलिस उन लड़कियों को वापस लाने में कामयाब हुई । चारों अभियुक्तों में से एक रक्सौल में गिरफ्तार हुआ, दो झांसा में और एक ने वाराणसी के एक ने न्यायालय में आत्म-समर्पण किया । यह भी कहा जाता है कि गायब होने वाली चार लड़कियों मे से दो अभियुक्तों से मिली हुई थीं । इन दोनों लड़कियों को गिरफ्तार कर लिया गया है । स्थानीय पुलिस द्वारा मामले की जोर शोर से जांच की जा रही है ।

Aligarh Muslim University

184. **Shri Maheswar Naik:**
Shri Hukam Chand Kachhavaiya:
Shri Bade:
Shri Yashpal Singh:
Shri Madhu Limaye:
Shri C. K. Bhattacharyya:
Shri Hem Barua:

Will the Minister of **Eduaction** be pleased to state:

(a) whether it is a fact that the Aligarh Muslim University Court has recommended to the Executive Council of the University that the name of the University be changed as the National Muslim University; and

(b) if so, the reaction of Government thereto?

The Minister or Education (Shri M. C. Chagla): (a) It is understood that on the request of the Executive Council of the Aligarh Muslim University, the Court of the University appointed a Committee which suggested that the University be renamed as 'National Muslim University Aligarh'. The Court accepted the suggestion but the same has yet to be considered by the Executive Council of the University.

(b) No official intimation has so far been received by Government from the University with regard to this suggestion. When received, it will be taken into consideration in connection with the proposed long-term legislation for the University.

Oil Structures in Assam

185. **Shri D. C. Sharma:**
Shri S. C. Samanta:
Shri Subodh Hansda:
Shri P. C. Borooah:
Shri M. L. Dwivedi:
Shri Bhagwat Jha Azad:
Shri Onkar Lal Berwa:
Shri Hukam Chand Kachhavaiya:
Shri Madhu Limaye:
Shri Kishen Pattnayak:
Shri Liladhar Kotoki:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether some promising oil bearing structures have been located in the Lakwa, Rudrasagar and Dum-duma areas of Assam;

(b) whether they are commercially exploitable; and

(c) if so, the steps being taken in that direction?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) and (b). Yes, in the Rudrasagar and Lakwa areas. In the Dum-duma area drilling is still in progress and it is premature to talk of an oil-bearing structure there.

(c) Drilling operations in the Rudrasagar and Lakwa areas are being intensified and installations for trial production are under construction in Rudrasagar and are to be constructed shortly at Lakwa. In Dum Duma area, more wells are proposed to be drilled to determine the oil potential of the area.

Scheme to popularise Hindi in Delhi

186. **Shri Bagri:**
Dr. Ram Manohar Lohia:
Shri Yashpal Singh:
Shri Balmiki:

Will the Minister of **Education** be pleased to state:

(a) whether Government have proposed any scheme to provide incentives to those students in Delhi who offer Hindi as one of the elective subjects with a view to popularising Hindi;

(b) if so, the main features thereof; and

(c) the total expenditure likely to be incurred annually on this scheme?

The Minister of Education (Shri M. C. Chagla): (a) No, Sir.

(b) and (c). Do not arise.

Admission into Technical Colleges

187. **Shri Bagri:**
Dr. Ram Manohar Lohia:
Shri Yashpal Singh:
Shri Balmiki:
Shri Linga Reddy:

Will the Minister of **Education** be pleased to refer to the reply given to Starred Question No. 432 on the 24th November, 1965 and state:

(a) whether several irregularities are committed in the admission of students in technical colleges;

(b) whether students are sometimes required to pay heavy sums of money for seeking admission in such institutions; and

(c) if so, the steps Government propose to take to regulate admission in these institutions?

The Minister of Education (Shri M. C. Chagla): (a) and (b). No irregularities in admission to technical colleges have come to the notice of the Government except that some private engineering colleges in Mysore are demanding donation fees from students seeking admission.

(c) Government is trying to persuade these colleges to discontinue collection of donation fees. The steps to achieve this purpose are being worked out in consultation with the State Government of Mysore.

Oil Wells in the Country

188. Shri Ram Harkh Yadav: Will the Minister of Petroleum and Chemicals be pleased to state:

(a) the total number of wells drilled in India for oil production, State-wise;

(b) the number of oil producing wells State-wise and upto-date; and

(c) the number of wells actually producing natural gas?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) The total number of wells drilled so far in the country. State-wise are as under:

State	No. of wells drilled
Gujarat	335
Assam	1330
Punjab	5
Uttar Pradesh	3
Bihar	2
Rajsthan	2
Union Terr ondicherry	1

(b) The total oil producing wells as on 31st December 1965, were as under:

Gujarat	197
Assam	555

(c) The number is as follows :—

Gujarat	12
Assam	17

In addition, all oil wells are producing associated gas.

भारतीय भाषा समिति

189. श्री डा० ना० तिवारी :
डा० लक्ष्मीमल्ल सिंघवी :
श्री यशपाल सिंह :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भारतीय भाषा समिति बनाई जा चुकी है ;

(ख) यदि हां, तो उस समिति के सदस्य कितने हैं तथा उन के नाम क्या-क्या हैं; और

(ग) समिति के निदेश-पद क्या हैं ?

शिक्षा मंत्रालय में उपमंत्री (श्री भक्त दर्शन) : (क) से (ग) विवरण सभा-पटल पर रख दिया गया है । [पुस्तकालय में रखा गया, देखिए संख्या एल. टी. 5454/66].

अखिल भारतीय विधि अध्यापकों का सम्मेलन

190. श्री डा० ना० तिवारी :
श्री दी० चं० शर्मा :
श्रीमती सावित्री निगम :
श्री यशपाल सिंह :
श्री रामसेवक यादव :
श्री बागड़ी :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि केरल में अखिल भारतीय विधि अध्यापक संस्था, एरणाकुलम के तत्वावधान में 30 तथा 31 दिसम्बर, 1965 को एक अखिल भारतीय शिक्षा सम्बन्धी सम्मेलन हुआ था ;

(ख) क्या विधि सम्बन्धी अध्यापन प्रणाली में सुधार लाने के लिये कोई सुझाव दिया गया था; और

(ग) यदि हां, तो सुझाव क्या है ?

शिक्षा मंत्री (श्री मु० क० चागला) : (क) अखिल भारतीय विधि अध्यापकों का सातवां सम्मेलन केरल में एरनाकुलनम में 30 और 31 दिसम्बर, 1965 को हुआ था।

(ख) जी, हां।

(ग) 1. भारत के सभी विश्वविद्यालयों में कानून की डिग्री के लिए समान नाम पद्धति होनी चाहिए। कानून में प्रथम और द्वितीय डिग्री को क्रमशः एल० एल०बी० और एल० एल०एम० कहा जाए।

2. सफल विद्यार्थियों को प्रथम श्रेणी और दूसरी श्रेणी इस प्रकार केवल दो वर्गों में ही रखा जाए।

3. एल० एल० बी० तथा एल० एल० एम० दोनों डिगग्रियों में, अलग-अलग विषय में पास होने के लिए न्यूनतम अंक 40 प्रतिशत तथा द्वितीय श्रेणी में पास होने के लिए कुल अंक का 50 प्रतिशत और प्रथम श्रेणी में पास होने के लिए कुल अंकों का 60 प्रतिशत होना चाहिए।

4. कानून के पाठयक्रम में दाखिले के लिए न्यूनतम योग्यता किसी भी संकाय में स्नातक की डिग्री मानी जानी चाहिए। दाखिले के लिए न्यूनतम योग्यता के रूप में, पूर्व-विश्वविद्यालय परीक्षा अथवा उस के समकक्ष परीक्षा सहित एक वैकल्पिक पंच वर्षीय समेकित पाठ्यक्रम लागू करने की सम्भावना पर यथाशीघ्र विचार किया जाना चाहिए।

5. एल० एल० बी० पाठयक्रम के लिए तीन वर्षीय पाठयक्रम होना चाहिये। भारत की वकील परिषद से अनुरोध है कि वकील परिषद द्वारा अपेक्षित व्यावसायिक प्रशिक्षण को इन्हीं तीन वर्षों में शामिल किया जाना चाहिए।

6. एल० एल० बी० डिग्री के लिए कानून में प्रथम डिग्री के पश्चात दो वर्षीय पाठयक्रम होना चाहिए।

7. एल० एल० बी० डिग्री और एल० एल० एम० डिग्री पाठयक्रम को सभी प्रयोजनों के लिए क्रमशः उत्तर-स्नातक पाठयक्रम और उत्तर-स्नातक डिग्री पाठयक्रम के समान मान्यता दी जानी चाहिए।

8. शिक्षण प्रणाली, अध्यापक-छात्र अनुपात, कक्षा में विद्यार्थियों की संख्या, एल० एल०बी० पाठयक्रम में शामिल किए जाने वाले अनिवार्य तथा वैकल्पिक विषयों जैसे मामले उपयुक्त निर्णय के लिए संबंधित विश्वविद्यालयों पर ही छोड़ दिए जाने चाहिए।

गोआ

191. **श्री प्रकाशवीर शास्त्री :**
श्री हुकम चन्द कछवाय :
श्री जगदेव सिंह सिद्धान्ती :
श्री मधु लिमये :
श्री किशन पटनायक :
श्री विश्वनाथ पाण्डेय :
श्री हरि विष्णु कामत :
श्री मा० ल० जाधव :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) गोआ के महाराष्ट्र अथवा मैसूर के साथ तथा दीव और दमन के गुजरात के साथ विलय के सम्बन्ध में लोक-मत जानने के सम्बन्ध में अब तक क्या प्रगति हुई है;

(ख) क्या इस सम्बन्ध में गोआ सरकार ने केन्द्रीय सरकार से कोई पत्र-व्यवहार किया है; और

(ग) यदि हां, तो इस सम्बन्ध में कब तक निर्णय किये जाने की सम्भावना है ?

गृह-कार्य मंत्रालय में राज्य-मंत्री तथा प्रतिरक्षा मंत्रालय में प्रतिरक्षा संभरण मंत्री (श्री हाथी) : (क) से (ग). इस बारे में अभी तक कोई फैसला नहीं किया गया है।

काश्मीर का विलय

192. श्री प्रकाशवीर शास्त्री :
श्री हुकम चन्द कछवाय :
श्री जगदेव सिंह सिद्धान्ती :
श्री प्र० रं० चक्रवर्ती :
श्री क० ना० तिवारी :
श्री रेम राज :
श्री लिंग रेड्डी :
श्री बलजीत सिंह :
श्री यशपाल सिंह :
श्री विश्वनाथ पाण्डेय :
श्री च० का० भट्टाचार्य :
श्री गोपाल दास मेंगी :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) भारतीय संविधान के कौन-कौन से और अनुच्छेद जम्मू तथा काश्मीर राज्य में लागू किये गये हैं अथवा लागू किये जा रहे हैं;

(ख) क्या उस राज्य के संविधान तथा झण्डे के स्थान पर भारतीय संविधान तथा झण्डा रखने का कोई प्रस्ताव है, जैसा कि राज्यपाल तथा मुख्य मंत्री के मामले में किया गया है; और

(ग) यदि हां, तो संविधान के अनुच्छद 370 का निराकरण कब तक किये जाने की सम्भावना है ?

गृह-कार्य मंत्रालय में राज्य-मंत्री तथा प्रतिरक्षा मंत्रालय में प्रतिरक्षा संभरण मंत्री (श्री हाथी) : (क) राष्ट्रपति द्वारा संविधान के अनुच्छेद 370 के अधीन 24 नवम्बर, 1965 को राज्य सरकार की सहमति से एक आदेश जारी किया गया जिसमें "सदरे रियासत" के पद को "राज्यपाल" में परिवर्तित करने के लिये भारतीय संविधान के निम्नलिखित अनुच्छेदों के संशोधित रूप को जम्मू तथा काश्मीर राज्य में लागू करने की व्यवस्था थी :—

अनुच्छेद—222
अनुच्छेद—361
अनुच्छेद—367(4)

संविधान के निम्नलिखित अनुच्छेदों को संशोधनों के साथ या ज्यों का त्यों राज्य पर लागू करने के सुझावों पर राज्य सरकार की सलाह से विचार किया जा रहा है :—

अनुच्छेद— 81
अनुच्छेद—325
अनुच्छेद—326
अनुच्छेद—327
अनुच्छेद—329

(ख) और (ग). फिलहाल ऐसा कोई सुझाव विचाराधीन नहीं है ।

अश्लील साहित्य

193. श्री प्रकाशवीर शास्त्री :
श्री हुकम चन्द कछवाय :
श्री जगदेव सिंह सिद्धान्ती :
श्री श्रीनारायण दास :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि अश्लील साहित्य तथा पत्रिकाओं का प्रकाशन बढ़ रहा है;

(ख) यदि हां, तो क्या सरकार का विचार इसे रोकने के लिये कोई कड़ी कार्यवाही करने का है; और

(ग) क्या यह भी सच है कि इस प्रकार की पत्रिकायें तथा साहित्य मुख्यत: छोटी पीढ़ी और विशेष रूप से स्कूलों और कालेजों के लड़के तथा लड़कियां खरीदते हैं ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री पू० गो० मारकर): (क) एक या दो राज्यों में अश्लील साहित्य के प्रकाशन तथा बिक्री में कुछ वृद्धि ध्यान में आई है ।

(ख) राज्य सरकारें, जिन्हें अश्लील साहित्य के प्रकाशन तथा बिक्री के खिलाफ़ मौजूदा कानून के अधीन कार्यवाही करने का अधिकार है, इस मामले में सतर्क हैं। अश्लीलता सम्बन्धी कानून को और अधिक प्रभावी बनाने की दृष्टि से उसमें संशोधन करने के एक सुझाव पर भी भारत सरकार विचार कर रही है।

(ग) यह बात देखने में नहीं आई कि अश्लील साहित्य तथा पत्रिकाएं मुख्यतः नई पीढ़ी द्वारा ख़रीदी जा रही हैं।

दिल्ली में बच्चों की शिक्षा

194. **श्री ओंकार लाल बेरवा :**
श्री हुकम चन्द कछवाय :
श्री बड़े :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने राजधानी में बच्चों की शिक्षा के सम्बन्ध में स्कूलों तथा कालेजों का सर्वेक्षण किया है; और

(ख) यदि हां, तो कितने स्कूलों तथा कालेजों की कमी है और इस कमी के कब तक पूरा हो जाने की संभावना है ?

शिक्षा मंत्री (श्री मु० क० चागला) : (क) और (ख). प्रारम्भिक स्तर पर कौन सी अतिरिक्त सुविधाओं की व्यवस्था करनी है, यह मालूम करने के लिए सम्बन्धित स्थानीय निकाय शैक्षिक सत्र शुरू होने से पहले प्रत्येक वर्ष सर्वेक्षण करते हैं और अपेक्षित माध्यमिक स्तर पर अपने-अपने क्षेत्र की दाखिला योजना तैयार करने और तदनुसार सभी पात्र विद्यार्थियों को दाखिला दिलाने के लिए आवश्यक सुविधाओं की व्यवस्था करने के लिए प्रत्येक क्षेत्रीय शिक्षा अधिकारी शैक्षिक सत्र शुरू होने से पहले हर साल विस्तृत सर्वेक्षण करता है।

कालेज स्तर पर, 1966–67 वर्ष के दौरान दाखिले के लिए पात्र विद्यार्थियों की संख्या को देखते हुए अतिरिक्त सुविधाओं से सम्बन्धित समस्या का अध्ययन किया गया है। अनुमान है कि और अधिक सीटों की मांग होगी। विषय विचाराधीन है।

Fertilizer Factory at Kanpur

195. **Shri S. M. Banerjee:** Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether a final decision has since been taken to instal a fertilizer factory in Kanpur; and

(b) if not, the reasons for the delay?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) Yes. A letter of intent has been issued to M|s Indian Explosives Limited.

(b) Question does not arise.

'गीतांजलि' की पांडुलिपि

197. **श्री हुकम चन्द कछवाय :**
डा० राम मनोहर लोहिया :
श्री बागड़ी :
श्री रामसेवक यादव :
श्री किशन पटनायक :
श्री यशपाल सिंह :
श्री बड़े :
श्री उदिया :
श्री विश्राम प्रसाद :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भारत सरकार ने हारवर्ड विश्वविद्यालय से 'गीतांजलि' की मूल पांडुलिपि की 'माइक्रो फिल्म' प्राप्त कर ली है; और

(ख) यदि हां, तो उसका मूल्य तथा ब्यौरा क्या है ?

शिक्षा मंत्रालय में उपमंत्री (श्री भक्त दर्शन) : (क) जी हां ।

(ख) 6.94 डालर जो 33 रुपये 3 पैसे के बराबर है । "माइक्रो फिल्म" राष्ट्रीय पुस्तकालय, कलकत्ता में रखी गई है ।

मोटर-पहियों के चोरों का गिरोह

198. **श्री हुकम चन्द कछवाय :**
श्री बड़े :
श्री युद्धवीर सिंह :

क्या गृह-कार्य मंत्री 8 दिसम्बर, 1965 के अतारांकित प्रश्न संख्या 2117 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या मोटरों के पहिये चुराने वालों के गिरोह के शेष दो सदस्यों को, जो भाग गये थे, अब पकड़ लिया गया है ;

(ख) यदि हां, तो उनके विरुद्ध क्या कार्यवाही की गई है ; और

(ग) उनसे चोरी की और कौन-कौन सी वस्तुयें बरामद हुई हैं ।?

गृह-कार्य मंत्रालय में उपमंत्री (श्री पू० शे० नास्कर): (क) जी नहीं ।

(ख) और (ग). प्रश्न ही नहीं उठते ।

जीवाजी विश्वविद्यालय में अंग्रेजी

199. **श्री हुकम चन्द कछवाय :**
श्री बड़े :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या जीवाजी विश्वविद्यालय के कला-संकाय (आर्ट्स फैकल्टी) ने सरकार का यह सुझाव दिया है कि अंग्रेजी भाषा केवल एक वर्ष के लिए ही अनिवार्य होनी चाहिये ;

(ख) क्या यह भी सच है कि अंग्रेजी की तीन वर्ष के लिए अनिवार्य बनाना इसलिये उपयोगी नहीं समझा जाता, क्योंकि उसके कारण बी० ए० के 60 प्रतिशत छात्र असफल हो जाते हैं ;

(ग) यदि हां, तो क्या अध्यापन-कार्य को और अधिक प्रभावशाली बनाने की दृष्टि से इस अनिवार्यता वाली शर्त को हटा देने का विचार है; और

(घ) यदि नहीं, तो इसके क्या कारण हैं ?

शिक्षा मंत्री (श्री मु० क० चागला) : (क) जी नहीं ।

(ख) से (घ). प्रश्न नहीं उठते ।

जम्मू तथा काश्मीर राज्य का पुनर्गठन

200. **श्री हुकम चन्द कछवाय :**
श्री रामेश्वरानन्द :
श्री बड़े :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या जम्मू तथा काश्मीर राज्य को भाषा के आधार पर पुनर्गठन करने की मांग की जा रही है और क्या इस योजना में काश्मीर की एक पृथक राज्य बनाने का सुझाव दिया गया है; और

(ख) यदि हां, तो इसके क्या कारण हैं और इस सम्बन्ध में भारत सरकार की क्या प्रतिक्रिया है ?

गृह-कार्य मंत्रालय में राज्य-मंत्री तथा प्रतिरक्षा मंत्रालय में प्रतिरक्षा संभरण मंत्री (श्री हाथी) : (क) और (ख). जैसा कि समाचार-पत्रों आदि में दिये गये इन सुझावों

से दिखाई पड़ता है वैसी न तो कोई मांग ही है और न ही सरकार का ऐसा कोई विचार है ।

जम्मू तथा काश्मीर में पाठ्य पुस्तकें

202. **श्री बड़े :**
श्री हुकम चन्द कछवाय :
श्री युद्धवीर सिंह :
श्री मधु लिमये :
श्री हेम बरुआ :

क्या शिक्षा मंत्री 8 दिसम्बर, 1965 के तारांकित प्रश्न संख्या 741 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय सरकार ने जम्मू तथा काश्मीर सरकार से उस राज्य के स्कूलों में पढ़ाई जा रही ऐसी पाठ्य पुस्तकों के संबन्ध में सूचना प्राप्त करली है जिनमें चीन की प्रशंसा की गई है; और

(ख) यदि हां, तो उसका ब्यौरा क्या है ?

शिक्षा मंत्री (श्री मू० क० चागला) : (क) जी हां ।

(ख) जम्मू तथा कश्मीर सरकार ने बताया है कि राज्य शिक्षा विभाग द्वारा मुद्रित और प्रकाशित पाठ्य-पुस्तकों में से कुछ में आपत्तिजनक सामग्री और कुछ गलतियां तथा गलत सूचना भी दी गई है। ये पुस्तकें कई वर्षों पहले छपी थीं । जम्मू तथा कश्मीर सरकार ने इस मामले की पूरी पूरी जांच का आदेश दिया है और सभी आपत्तिजनक हिस्सों को पुस्तकों से निकाल देने और गलतियों/गलत सूचनाओं को ठीक करने के लिए भी आवश्यक कार्रवाई की है ।

Cut in Crude Prices

203. **Shri P. C. Borooah:**
Shri M. L. Dwivedi:
Shri Bhagwat Jha Azad:
Shri Subodh Hansda:
Shri S. C. Samanta:
Shri Narayan Reddy:
Shri D. C. Sharma:
Shri D. N. Tiwary:
Shri S. M. Banerjee:
Shri Rameshwar Tantia:
Shri Himatsingka:
Shrimati Savitri Nigam:
Shri Madhu Limaye:
Shri P. R. Chakraverti:
Shri Kajrolkar:
Shri Warior:
Shri Vasudevan Nair:
Shri Daji:
Shri P. H. Bheel:
Shri P. K. Deo:
Shri Solanki:
Shri Sarjoo Pandey:
Shri Ram Sewak Yadav:
Shri Bagri:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether some oil companies operating in the country with refineries based on imported crude oil have agreed to effect a cut in prices of crude oil;

(b) if so, their names; and

(c) the extent to which the prices have been reduced and the saving of foreign exchange as a result thereof?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) Yes.

(b) Burmah-Shell Oil Storage & Distributing Co. of India Ltd., Esso Standard Eastern, Inc. and Caltex (India) Ltd.

(c) Burmah-Shell and Caltex have agreed to give an additional discount of 8 cents per barrel on their Aghajari Crude with effect from 1-1-1966. Similarly, Esso have offered an additional discount of 4 cents per barrel on their Arabian Crude mix. As a result of these discounts a foreign ex-

change saving of about Rs. 27 lakhs is expected during the first quarter of 1966.

Drilling in Port Canning area

204. Shri P. C. Borooah:
Shri M. L. Dwivedi:
Shri Bhagwat Jha Azad:
Shri S. C. Samanta:
Shri Subodh Hansda
Shri Narayan Reddy:
Shri Himatsingka:
Shri Rameshwar Tantia:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether it is a fact that drilling in the Port Canning area to the South of Calcutta has been further delayed; and

(b) if so, the reasons therefor?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) Yes.

(b) The delay is mainly due to the difficulties experienced in transporting the Derrick and under-structures of the drilling rig from Sibsagar to the site.

Gauhati Refinery

205. Shri P. C. Borooah:
Shri Madhu Limaye:
Shri Vishwa Nath Pandey:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether the plan for the expansion of the Gauhati Refinery during the Fourth Plan has since been finalised; and

(b) if so, the particulars thereof?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) No.

(b) Does not arise.

Rehabilitation of Repatriates from Burma

206. Shri M. L. Dwivedi:
Shri P. C. Borooah:
Shri Bhagwat Jha Azad:
Shri S. C. Samanta:
Shri Subodh Hansda:
Dr. L. M. Singhvi:
Shri Yallamanda Reddy:
Shri Hukam Chand Kachhavaiya:

Will the Minister of **Labour, Employment and Rehabilitation** be pleased to refer to the reply given to Starred Question No. 273 on the 17th November, 1965 and state:

(a) whether it is a fact that the Ministry of Works, Housing and Urban Development have declined to allot some shops for the rehabilitation of repatriates from Burma;

(b) if so, the alternative steps being taken or proposed to be taken to rehabilitate these repatriates; and

(c) the number of shops which are proposed to be allotted to them in Delhi/New Delhi?

The Minister of Labour, Employment and Rehabilitation (Shri Jagjivan Ram): (a) to (c). The Ministry of Works Housing & Urban Development have intimated that no shops could at present be made available for allotment to Burmese repatriates.

A statement indicating the measures taken for the rehabilitation of these repatriates is given below.

Statement

1. A scheme for granting loan for business purpose upto Rs. 2,000 per family has been sanctioned.

2. Employment assistance is being provided to the repatriates from Burma. For this purpose, the repatriates from Burma have been accorded priority in the matter of appointment to posts and services under the Central Government through the Employment Exchange.

3. Age limit for recruitment through Employment Exchange has been relaxed upto 45 years, with a further relaxation upto 5 years in the case of persons belonging to Scheduled Castes and scheduled Tribes.

4. The Administrative Ministries concerned with Public Undertakings of the Central Government have been requested to reserve 25 to 33 1/3 per cent of vacancies in the Undertakings under their respective control for repatriates from Budma and Ceylon.

5. The State Governments have been asked to resettle the repatriates under the Land Colonisation Scheme for which assistance from the Government of India is available.

6. The State Government have also been asked to extend:

(a) facilities for employment to the posts and services under the State Government;

(b) employment in existing projects;

(c) educational concessions; and

(d) preference in allotment of land, plots for building, etc.

7. Instructions have been issued to the effect that Indian repatriates from Burma admitted in the Industrial Training Institutes may be paid a stipend of Rs. 45/- p.m., in deserving cases, if the trainees are staying away from their parents.

8. Certain Schemes for the rehabilitation of the repatriates in industries such as Spinning Mills, Diary Farms and Poultry Farms and in agriculture are under examination.

9. Age relaxation and remission of examination fees is also allowed in respect of the examinations conducted by the U.P.S.C.

10. The State Governments have been asked to extend the benefits of the old Age Pension Scheme to the repatriates if the same is in existence in a particular State.

Rations to the workers of the Sabarigiri H. E. Project, Kerala

207. Shri Vasudevan Nair:
Shri Warior:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that rations were denied to the workers in the Sabarigiri H. E. Project, Kerala State during the strike period in December 1965; and

(b) if so, whether the cut has been restored?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) No Sir.

(b) Does not arise.

National Diploma in Commerce in Kerala

208. Shri Vasudevan Nair:
Shri Warior:

Will the Minister of **Education** be pleased to state:

(a) whether there is a proposal to conduct the examinations for National Diploma in Commerce by the State Government in Kerala State instead of by the All-India Council for Technical Education;

(b) if so, whether the Diploma given by the State Government will be at par with the National Diploma; and

(c) whether Government have received any representation against the above proposal?

The Minister of Education (Shri M. C. Chagla): (a) The All India Council for Technical Education, as far back as 1957 decided to cease to affiliate institutions and hold examinations as and when the State Boards of Technical Education were found to be in a position to take over these responsibilities. In pursuance of this decision the State Board of Education, Kerala was requested in February, 1963 to take over the function of affiliating

and conducting National Diploma examinations in respect of the Institutions in the State.

(b) Yes, Sir.

(c) Representation was received in February, 1965 from students in Kerala requesting that examinations be conducted by the All India Council for Technical Education and not by State Board. The students were under the impression that the State Board Diploma may not be recognised. The position was immediately explained to the students and the State Government. No further representation has since been received.

Thefts and Murders in Thakazi, Kerala

209. Shri Vasudevan Nair:
Shri Warior:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government have received any representation from the Thakazi Panchayat in Kerala State requesting for a thorough enquiry into certain cases of theft and murder in the area in November, 1965;

(b) if so, whether any such enquiry was conducted; and

(c) the result thereof?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) to (c). The information is being collected and will be laid on the Table of the House as soon as possible.

Science Education in India

210. Shri Warior:
Shri Vasudevan Nair:
Shri Indrajit Gupta:
Shri Prabhat Kar:

Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that there are serious defects in the present system of science education in India; and

(b) if so, the steps taken to remove the defects and to improve the science education?

The Minister of Education (Shri M. C. Chagla): (a) No Sir; but the existing programmes of science teaching are being constantly strengthened and improved.

(b) Steps taken to improve science teaching include—improvement of science syllabi, preparation of new text books containing up-to-date information, preparation of guide books for teachers, improvement in teacher training and techniques of teaching, provision of better laboratory and research facilities and establishment of science Institutes in States.

Sales Tax Proceedings

211. Shri Vishram Prasad:
Shri Bagri:
Dr. Ram Manohar Lohia:
Shri Yashpal Singh:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 340 on the 10th November, 1965 regarding the raids by the Sales-Tax Officers in Sadar Bazar, Delhi and state the progress made in the proceedings against the shop-keepers?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): The accounts books and documents taken into possession from the businses premises of four shopkeepers largely relate to the current year 1965-66. Assessment proceedings against the shop-keepers shall therefore be initiated after the expiry of the year.

पूर्वोत्तर क्षेत्र के लिए विश्वविद्यालय

212. **श्री विश्राम प्रसाद :**
श्री सुबोध हंसदा :
श्री सं० चं० सामन्त :
श्री भागवत झा आजाद :
श्री म० ला० द्विवेदी :
श्री प्र० चं० बरुआ :
श्री यशपाल सिंह :
श्री बागड़ी :
डा० राम मनोहर लोहिया :
श्री रामसेवक यादव :
श्री बड़े :
श्री उटिया :
श्री प्र० रं० चक्रवर्ती :
श्रीमती रेणुका बड़फटकी :
श्री विश्वनाथ पाण्डेय :
श्री लीलाधर कटकी :
श्री वारियर :
श्री इन्द्रजीत गुप्त :
श्री प्रभात कार :
श्री वासुदेवन नायर :
श्री मधु लिमये :
श्री किशन पटनायक :
श्री विभूति मिश्र :
श्री राम सहाय पाण्डेय :
श्री रवीन्द्र वर्मा :
श्री रा० बरुआ :

क्या शिक्षा मंत्री 10 नवम्बर, 1965 के तारांकित प्रश्न संख्या 143 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) भारत के पूर्वोत्तर क्षेत्र के लिए एक विश्वविद्यालय स्थापित करने के सम्बन्ध में सरकार ने कितनी प्रगति की है; और

(ख) इस विश्वविद्यालय में शिक्षा कार्य कब तक आरम्भ हो जायेगा ?

शिक्षा मंत्री (श्री मु० क० जागला) : (क) और (ख). विषय अभी विचाराधीन है।

Petro-Chemical Corporation

213. **Shri Vishram Prasad:**
Shri S. C. Samanta:
Shri Subodh Hansda:
Shri P. C. Borooah:
Shri M. L. Dwivedi:
Shri Bhagwat Jha Azad:
Shri Bagri:
Dr. Ram Manohar Lohia:
Sh i Utiya:
Shri Kishen Pattnayak:
Shri Ram Sewak Yadav:
Shri Yashpal Singh:
Shrimati Savitri Nigam:
Shri Vishwa Nath Pandey:
Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:

Will the Minister of **Petroleum and Chemicals** be pleased to refer to the reply given to Starred Question No. 135 on the 10th November, 1965 and state:

(a) whether any final decision has since been taken on the proposal to set up a Petro-Chemical Corporation in the public sector; and

(b) if so, the broad features thereof?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) and (b). The matter is still under consideration of Government.

Re-employment of Retired Civil Servants

214. **Shri Vishram Prasad:**
Shrimati Savitri Nigam:
Shri M. L. Dwivedi:
Shri Bhanu Prakash Singh:
Dr. Ram Manohar Lohia:
Shri Bag i:
Shri Subodh Hansda:
Shri S. C. Samanta:
Shri Bhagwat Jha Azad:
Shri P. C. Borooah:
Shri Yashpal Singh
Shri Karni Singhji:
Shri Vishwa Nath Pandey:
Shri Madhu Limaye:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government have considered the recommendations of the

Santhanam Committee in respect of the re-employment of retired civil servants in private service;

(b) the decision taken by Government to implement these recommendations; and

(c) if answer to part (a) above be in the negative, when a decision is likely to be taken?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) and (b). A copy of the instructions issued by the Ministry of Home Affairs on the subject is placed on the Table of the House. [*Placed in Library. See* No. LT-5455/66].

(c) Does not arise.

Hindu Religious Education in Schools

215. Shri Ram Harkh Yadav:
Shri Hem Raj:
Shri Daljit Singh:

Will the Minister of **Education** be pleased to state:

(a) whether the Vishwa Hindu Dharm Sammelan held from 8th to 12th December, 1965 in Delhi has urged upon Government to introduce Hindu ethical religious and spiritual education in the school curricula from the Primary stage;

(b) if so, Government's reaction thereto; and

(c) the decision taken by Government in the matter?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) Government have no knowledge of the recommendations of the Sammelan.

(b) and (c). Do not arise.

Grants to Technical Institutions by Ford Foundation

216. Shri Ram Harkh Yadav: Will the Minister of **Education** be pleased to state:

(a) whether the Ford Foundation has recently allowed large sums of money as grants to the Technical Institutes in India; and

(b) if so, the details thereof with the specifications of the institutes receiving the grants?

The Minister of Education (Shri M. C. Chagla): (a) and (b). During 1965, Ford Foundation had sanctioned $ 1,450,000 for the development of Birla Institute of Technology & Science, Pilani.

UNESCO Conference on Nehru's Role

217. Shri Balmiki:
Shri Yashpal Singh:
Shri Bagri:
Dr. Ram Manohar Lohia:
Shri Dhaleshwar Meena:
Shri Ramachandra Ulaka:

Will the Minister of **Education** be pleased to refer to the reply given to Unstarred Question No. 833 on the 17th November, 1965 and state:

(a) the further progress made in organising the Round Table Conference of cultural leaders on late Shri Jawaharlal Nehru's role in Modern world by UNESCO; and

(b) whether the list of participants has since been finalised?

The Minister of Education (Shri M. C. Chagla): (a) It is now proposed to hold the Round Table in the latter half of September, 1966 in New Delhi.

(b) No, Sir.

File Movement Costing Rs. 50 Lakhs

218. Shri Kajrolkar: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that a particular file which took more than eight months to travel from Delhi Municipal Corporation to the Central Secretariat and back has cost the civic body Rs. 50 lakhs;

(b) if so, its impact on the revenue; and

(c) whether tax has to be increased to meet such unforeseen expenditure?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): (a) No, Sir.

(b) Does not arise.

(c) Does not arise.

Namrup Fertilizer Factory

220. Shri Karni Singhji:
Shri P. R. Chakraverti:
Shri P. C. Borooah:
Shrimati Renuka Barkataki:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) the progress so far made in setting up the Namrup Fertilizer Plant;

(b) how far the difficulties encountered in regard to land acquisition and poor load-bearing capacity of the soil, resulting in delay in setting up of the Plant have now been overcome; and

(c) the revised target date of commissioning the project in the light of (b) above?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) The civil construction was started on 5-3-1965. All the major plant buildings and foundations are scheduled to be completed by 1-12-1966.

Foundations of the Sulphate and the Sulphuric Acid Plants are almost complete. Progress in the Ammonia and the Urea Plants is according to schedule.

Mechanical erection of plants and equipments was begun in the Sulphuric Acid Plant on 1-1-1966 and is making steady progress according to schedule. Out of 802 quarters, 642 have been built and the construction of the balance is in progress. Progress of ancillary buildings and other services is as per Schedule.

(b) All the difficulties encountered in regard to land have been overcome. Possession of the new factory site was taken on 2-2-1965 and work as described above is now going on.

(c) The revised target date of commissioning the plant is 1-8-1967.

Studies of Poona Students

221. Shri Karni Singhji: Will the Minister of **Education** be pleased to state:

(a) whether Government are aware that a large number of students coming from the rural areas in Poona District are being forced to give up their studies as their parents could not support them on account of failure of the crops;

(b) whether in view of the tight financial position of the State, any request has been received from that Government by the University Grants Commission for financial aid; and

(c) if so, the details thereof and how far their request has been complied with?

The Minister of Education (Shri M. C. Chagla): (a) The Central Government have no information on the subject.

(b) No, Sir.

(c) Does not arise.

Public Grievances

223. Shri Vishwa Nath Pandey: Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government have finally evolved a plan for establishing an adequate institutional machinery for the redress of public grievances;

(b) if so, the broad features thereof; and

(c) if reply to part (a) above be in the negative, the reasons for the delay?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) No, Sir.

(b) Does not arise.

(c) The problems of redress of citizens' grievances will now be considered by the Administrative Reforms Commission.

Rewa Funds

224. **Shri Vishwa Nath Pandey:** Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No. 282 on the 17th November, 1965 regarding repatriation of former Rewa Ruler's funds and state:

(a) whether any agreement has been reached with the present ruler of Rewa regarding the funds deposited by the late Maharaja Gulab Singh in foreign banks;

(b) if so, the details thereof;

(c) when this transfer is likely to materialise; and

(d) if the answer to part (a) above is in the negative, the causes of the delay?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) and (b). An agreement was reached between the Government of India and the present Maharaja of Rewa in January 1953 for the division of assets held in the name of the late Sir Gulab Singh of Rewa equally between the Government of India and His Highness the Maharaja of Rewa after meeting the cost of realisation etc. These assets included deposits in Banks etc. to the extent of £19,157.

(c) Steps have been taken for the realisation of the assets, which will be transferred to the name of the President as soon as the necessary formalities have been completed.

(d) Does not arise.

Petro-Chemical Complex in Assam

225. **Shri Liladhar Kotoki:**
Shri Vishwa Nath Pandey:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether a scheme has been drawn up to set up a Petro-chemical complex unit for the utilisation of the surplus natural gas of Assam oilfields; and

(b) if so, the salient features thereof?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) and (b). The Fertiliser Corporation of India is putting up a factory at Namrup for the manufacture of nitrogenous fertilisers based on the surplus gas. There are also schemes for the manufacture of PVA fibres, methanol, formaldehyde and formaldehyde based resins. Besides, a study is being conducted by the Burmah Oil Company with the assistance of the Fertiliser Corporation of India on further utilisation of natural gas for increased production of nitrogenous fertilisers.

Quota for S.Cs. and S.Ts.

226. **Shri Daljit Singh:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether the quota reserved for the Scheduled Castes and Scheduled Tribes has been filled in all the Ministries and Attached Offices of the Government of India as on 1st January, 1966; and

(b) if not, the reasons therefor?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): (a) and (b). Reservation is made for Scheduled Castes and Scheduled Tribes in all services and posts under Government filled by direct recruitment Reservation is also made for Scheduled Castes and Scheduled Tribes in Class III and Class IV appointments made by promotion

by selection or through departmental competitive examination, in grades to which there is no direct recruitment whatever. These reservations apply for purposes of new appointments only. Figures showing the proportion of Scheduled Castes and Scheduled Tribes amongst the total employees in the Ministries and Attached Offices of the Government of India, as on 1st January 1966, are not available. However, a statement showing the progressive representation of Scheduled Castes and Scheduled Tribes in the services under the Government of India for the years 1957 to 1963 is laid on the Table. [*Placed in Library. See* No. LT-5456/66].

The main reason for the shortfall in the representation of Scheduled Castes and Scheduled Tribes is that suitable Scheduled Caste and Scheduled Tribe candidates are not available to fill all the posts reserved for them, particularly those posts for which technical or special qualifications are required.

Expansion of Education Schemes in Punjab

227. **Shri Daljit Singh:** Will the Minister of **Education** be pleased to state:

(a) whether the Central Government have given any financial assistance to the Punjab Government as an advance payment from the allocation made for the Fourth Five Year Plan for expansion of education schemes in the State; and

(b) if so, the amount thereof and also the details of these schemes?

The Minister of Education (Shri M. C. Chagla): (a) and (b). A sum of Rs. 3,50,000 has been allotted to Punjab for advance action on the Fourth Five Year Plan Schemes, namely, girls' education, training of librarians, adult literacy, educational survey and technical education.

भूतपूर्व देशी राज्यों में हिन्दी

228. **श्री विभूति मिश्र :** क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि स्वतन्त्रता से पहले राजस्थान, मध्य प्रदेश तथा उत्तर प्रदेश के देशी राज्य अपनी राजभाषा के लिये देवनागरी लिपि में हिन्दी भाषा का प्रयोग करते थे ;

(ख) यदि हां, तो क्या यह भी सच है कि भारतीय संघ में उनके मिलने के पश्चात् वहां अंग्रेजी भाषा जारी की गई थी; और

(ग) क्या यह भी सच है कि उन देशी राज्यों के लोग प्रशासन में अंग्रेजी भाषा के प्रयोग के कारण अप्रसन्न हैं ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री पू० शे० नास्कर) : (क) से (ग) सूचना एकत्रित की जा रही है और यथासमय सभा पटल पर रख दी जायेगी ।

Enquiry against Foreign-owned Tea Estates in Assam

229. **Shri Hem Barua:**
Shri Bhagwat Jha Azad:
Shri M. L. Dwivedi:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shri P. C. Borooah:
Shri R. Barua:
Shri R. S. Pandey:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether the attention of Government has been drawn to a broad-based charge that some of the foreign-owned tea estates in Assam are functioning as "centres of espionage" for Pakistan;

(b) whether Government have held any enquiry into this matter; and

(c) if so, the result thereof?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): (a) Yes, Sir.

(b) and (c). Investigation carried out in this connection did not show any specific instance of indulgence by any foreign-owned tea estate in Assam in espionage for Pakistan.

Oil in Coastal Districts of Orissa

230. Shri Gokulananda Mohanty:
Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether any survey has been carried out for Oil exploration in the coastal districts of Orissa; and

(b) if so, the results thereof?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) and (b). Geological investigations have been carried out in the Baripada area and gravity and magnetic surveys have been carried out in Baripada-Balasore districts. Gravity and magnetic surveys are in progress in the Cuttack-Bhadrak-Puri area.

The surveys carried out in the Baripada-Jaleswar area have indicated that the prospects are not promising. The results of the surveys currently in progress in the Cuttack-Bhadrak-Puri area will be known only after the completion of the work.

पाकिस्तान से आने वाले व्यक्ति

231. श्री विश्राम प्रसाद :
श्री राम हरख यादव :

क्या श्रम, रोजगार तथा पुनर्वास मंत्री यह बताने की कृपा करेंगे कि :

(क) हाल के भारत-पाकिस्तान संघर्ष के पश्चात आज तक पूर्व तथा पश्चिम पाकिस्तान से कितने हिन्दू, ईसाई तथा अन्य समुदाय के व्यक्ति बाहर निकाल दिये गये हैं ;

(ख) सरकार ने अब तक उनमें से कितने व्यक्तियों के पुनर्वास की व्यवस्था कर दी है ; और

(ग) उनके पुनर्वास पर अब तक कितनी धनराशि व्यय हुई है ?

श्रम, रोजगार तथा पुनर्वास मंत्री (श्री जगजीवन राम) : (क) पहली अगस्त, 1965 से 11,039 विस्थापित व्यक्ति पूर्वी पाकिस्तान से आये हैं। समुदाय के अनुसार आंकड़े उपलब्ध नहीं हैं। 3,833 हिन्दू जिनमें सोधा राजपूत, जाट, मेघवाल, भील तथा स्वामी हैं, पश्चिमी पाकिस्तान से राजस्थान में आये हैं।

(ख) और (ग). पूर्वी पाकिस्तान से आये विस्थापितों में से जो सहायता तथा पुनर्वास सहायता के पात्र हैं उन्हें वर्तमान में सहायता दी जा रही है जब तक कि उनके पुनर्वास की व्यवस्था नहीं हो जाती।

जो परिवार पश्चिम पाकिस्तान से आये हैं उनको बसाने के लिये योजनाएं बनाई जा रही हैं। इस अवस्था में यह बताना संभव नहीं होगा कि उनके पुनर्वास पर कितनी धन राशि व्यय होगी।

Arrest of Muslims

232. Shri Mohammad Elias:
Shri Indrajit Gupta:

Will the Minister of **Home Affairs** be pleased to state

(a) the total number of Muslims arrested during the time of Pakistani aggression on our country;

(b) the charges against the arrested persons; and

(c) the number of persons released till now?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): (a) to (c). The information

is being collected and will be laid on the Table of the Sabha when received.

Shortage of Kerosene Oil in Mysore

233. Shri Linga Reddy: Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether Government are aware of the scarcity conditions of kerosene oil in Mysore;

(b) whether Government are also aware of the abnormal rise in prices and blackmarketing in kerosene; and

(c) if so, the steps taken to supply sufficient quantity of kerosene and put down blackmarketing in kerosene in Mysore?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) No. Supplies of kerosene to Mysore during recent months have been very near the average monthly consumption in that State during the year 1964.

(b) No.

(c) It is for the State Government to take steps for effecting equitable distribution within the State and for preventing blackmarketing, if any. The attention of the State Government has been drawn to their statutory powers in this regard.

एकरूप प्राथमिक शिक्षा

235. श्री बागड़ी : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार पांचवीं कक्षा तक अमीर तथा गरीब सभी बच्चों के लिए एकरूप शिक्षा देने की व्यवस्था कर रही है ;

(ख) क्या यह भी सच है कि उन सभी गैर-सरकारी शिक्षा संस्थाओं को, जो विशेष रूप से आधुनिक तथा उच्च वर्ग के लोगों के बच्चों के लिये चलाई जा रही हैं, बन्द किया जा रहा है ; और

(ग) यदि नहीं, तो इस के कारण क्या हैं ?

शिक्षा मंत्री (श्री मु० क० चागला) : (क) सभी बच्चों के लिए पांचवीं कक्षा तक सामान्य शिक्षा की आमतौर पर समान प्रणाली चल रही है ।

(ख) जी नहीं ।

(ग) प्रणाली की कट्टर समानता वांछनीय नहीं समझी जाती ।

Sindri Fertiliser Factory

236. Shri Kajrolkar:
Shri Karni Singhji:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether it is a fact that the Sindri Fertiliser Plant is running at a loss;

(b) if so, the annual loss and the reasons therefor;

(c) whether its old technology of production had undergone a change; and

(d) its rated production and how does it compare with the price of the private sector?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) No.

(b) Does not arise.

(c) There has been no change in the technology of production in Sindri.

(d) The original designed capacity was 117,000 tonnes per annum, but due to shortage of coke oven gas and poor quality of gypsum, its actual production has seldom exceeded 90,000 tonnes per annum in the past. However, with the installation of certain additional equipment, such as Lean

Gas Generators and Naphtha Gasification Unit, the capacity will be raised to 1,10,000 tonnes of nitrogen per year, in the course of next two or three years. The end products of the factory are ammonium sulphate, double salt and urea which are not yet produced in the private sector. These are sold to the Fertiliser Pool at retention prices fixed by Government. There is therefore no question of comparison with the price of the private sector.

Summer Schools and Multi-Purpose Schools

237. Shri R. Barua:
Shri R. S. Pandey:

Will the Minister of **Education** be pleased to state:

(a) whether Government have drawn up a scheme to popularise and open more Summer Schools and Multi-purpose Schools in the country during the Fourth Plan;

(b) the number of such schools of both categories functioning at present; and

(c) whether Government have made an assessment about their working and usefulness?

The Minister of Education (Shri M. C. Chagla): (a):

(i) It is proposed to hold about 1000 Summer Schools in science, mathematics, and social studies during the Fourth Plan period for teachers in these fileds.

(ii) A Centrally Sponsored Scheme is being drawn up to strengthen diversified courses in the existing Multi-purpose Schools. In addition, larger funds have been provided in the State Sector to enable the States and Union Territories to set up more Multi-purpose Schools during the Fourth Plan.

(b) (i) 51 Summer Schools were held in 1965.

(ii) The number of Multi-purpose Schools upto July, 1965 was 3858.

(c) The working of the Summer Schools and diversified courses is being constantly reviewed and interviewed. Their usefulness is accepted by various bodies. The Education Commission's Report is also expected to give the Commission's recommendations on this aspect.

Cultural Centres in Orissa State

238. Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:

Will the Minister of **Education** be pleased to state:

(a) whether any financial assistance was given to Orissa for the construction of cultural centres in the State during 1965-66; and

(b) if so, the details thereof?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) No, Sir.

(b) Does not arise.

Assistance to publishers and Booksellers in Orissa State

239. Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:

Will the Minister of **Education** be pleased to state the assistance given to the publishers, printers and booksellers of Orissa State in the field of social education, literature and literature for neo-literates during 1965-66?

The Deputy Minister in the Ministry of Education (Shrimati Soundaram Ramachandran): No such assistance has been given.

Rehabilitation Industries Corporation

240. Shri Dhuleshwar Meena:
Shri Ramachandra Ulaka:

Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state the amount outstanding as on the 31st January, 1966 with the various industrial concerns which were provided with loans by the Rehabilitation Industries Corporation?

The Minister of Labour, Employment and Rehabilitation (Shri Jagjivan Ram): A statement showing arrears of loans and interest outstanding as on 31st January, 1966 is laid on the Table. [*Placed in Library, See* No. LT-5457/66].

Migrants Deserting Dandakaranya

241. Shri Tridib Kumar Chaudhuri:
Shri Subodh Hansda:
Shri S. C. Samanta:
Shri Bhagwat Jha Azad:
Shri M. L. Dwivedi:
Shri P. C. Borooah:
Shri P. R. Chakraverti:
Shri K. N. Tiwary:
Shri Maheswar Naik:
Shrimati Savitri Nigam:
Dr. Ranen Sen:
Shri Dinen Bhattacharya:
Shri C. K. Bhattacharyya:
Shri Mohammad Elias:
Shrimati Jyotsna Chanda:
Shrimati Renu Chakravartty:

Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) the total number of displaced families from East Pakistan who have deserted from rehabilitation sites in Dandakaranya areas and States outside West Bengal in the years 1964, 1965 and 1968 to-date State-wise and

(b) the reasons for these desertions and the whereabouts of these families since desertion?

The Minister of Labour, Employment and Rehabilitation (Shri Jagjivan Ram): (a) The required information is as below:

Desertions from rehabilitation sites

No. of families

	1964	1965	1966 (to-date)	Total
Tripura .	Nil	Nil	Nil	..
N.E.F.A. .	Nil	Nil	Nil	
Maharasthra .	..	259	Nil	259
Uttar Pradesh .	25	7	Nil	32
Madhya Pradesh	Nil	Nil	Nil	
Bihar .	43	30	Nil	73
Assam .	Nil	Nil	Nil	..
Dandakaranya	159	1,036	81	1,276
Andhra Pradesh	151	73	Nil	224
Orissa	Nil	759	6	765
	378	2,164	87	2,629

(b) Main reasons:

(a) Some families have left in order to join other sections of their families resettled elsewhere in the past.

(b) In some areas, unscrupulous elements held out hopes of better rehabilitation elsewhere and some families were misled by their propaganda.

(c) Unwillingness to do manual labour.

(d) Demand of better facilities than those available in the colonies.

(e) Non-allotment of agricultural land.

The whereabouts of the deserters is not known, but many of them are reported to have gone to West Bengal.

Propagation of Hindi

242. **Shri Badshah Gupta:** Will the Minister of **Education** be pleased to state the areas inhabited by uneducated people on the mainland and the Islands of the Indian Union where propagation of Hindi has so far been undertaken by Government?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): The work relating to propagation and development of Hindi has been undertaken in all the non-Hindi-speaking areas, whether on the mainland or the Islands.

Space Research in Kerala University

243. **Shri Vasudevan Nair:**
Shri Warior:
Shri A. V. Raghavan:

Will the Minister of **Education** be pleased to state:

(a) whether any proposal has been recommended to the Kerala University to institute a course in space research;

(b) whether the idea of associating the University with the Thumba Rocket Launching Station is being considered; and

(c) the time by which a final decision will be taken in the matter?

The Minister of Education (Shri M. C. Chagla): (a) to (c). Certain preliminary discussions have taken place between the Vice-Chancellor, Kerala University, and the authorities of the Thumba Rocket Launching Project on the question of instituting a course in space research in the University. It is premature to state at this stage as to when a final decision will be taken to start the course.

Sugar Mill in Betul

244. **Shri Wadiwa:**
Shri A. S. Saigal:
Dr. Chandrabhan Singh:
Shri Chandak:
Shri Lakhmi Bhawani:
Shri Hukam Chand Kachhavaiya:

Will the Minister of **Labour, Employment and Rehabilitation** be pleased to refer to the reply given to Unstarred Question No. 785 on the 17th November, 1965 and state:

(a) whether the Government of Madhya Pradesh have since forwarded proposals for providing irrigation facilities for the cultivation of sugarcane on the lands under reclamation in Betul district for the resettlement of migrants from East Pakistan;

(b) if so, whether the scheme has been sanctioned;

(c) whether any decision has been taken regarding the establishment of a sugar mill there; and

(d) if so, the details thereof?

The Minister of Labour, Employment and Rehabilitation (Shri Jagjivan Ram): (a) Not yet.

(b) to (d). Do not arise.

Small-Scale Industries in Madhya Pradesh

245. **Shri Wadiwa:**
Shri A. S. Saigal:
Dr. Chandrabhan Singh:
Shri Chandak:
Shri Lakhmu Bhawani:

Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) whether any proposal has been received from the Government of Madhya Pradesh for establishing small-scale industries in the State for the employment of 1327 new migrants from East Pakistan;

(b) if so, the details thereof; and

(c) whether the approval of the Government of India has since been communicated to the State Government?

The Minister of Labour, Employment and Rehabilitation (Shri Jagjivan Ram): (a) The Government of Madhya Pradesh have forwarded 57 small-scale industries scheme which envisages employment of 2,418 new migrants at an estimated cost of Rs. 56.00 lakhs.

(b) A statement is laid on the Table of the House. [*Placed in Library. See* No. LT-5458/66].

(c) The schemes are under technical scrutiny.

Compilation of Madhya Pradesh District Gazetteer in Hindi

246. Shri Wadiwa:
Dr. Chandrabhan Singh:
Shri A. S. Saigal:
Shri J. P. Jyotishi:
Shri Chandak:

Will the Minister of **Education** be pleased to refer to the reply given to Unstarred Question No. 70 on the 3rd November, 1965 and state:

(a) whether the Government of India have accepted the suggestion of the Government of Madhya Pradesh regarding the compilation of Madhya Pradesh District Gazetteer in Hindi in terms of the Madhya Pradesh Languages Act, 1957 on Government of India sharing 40 per cent of the cost of such publication; and

(b) if so, whether Government's concurrence has been communicated to the State Government?

The Minister of Education (Shri M. C. Chagla): (a) No, Sir.

(b) Does not arise.

Teaching of Foreign Languages

247. Shri M. Maisichami: Will the Minister of **Education** be pleased to state:

(a) whether the attention of Government has been drawn to a suggestion made by the Board of Trade as reported in the "Hindu" dated 31st December, 1965 that provision must be made for teaching facilities in the country for foreign languages like Arabic, Spanish, Russian and Japanese; and

(b) if so, the steps taken for imparting education in foreign languages to students at the Secondary and University Stages?

The Minister of Education (Shri M. C. Chagla): (a) No, Sir.

(b) There is no provision for imparting education in foreign languages to students at the Secondary school stage. The University Grants Commission has approved certain grants for developing the study of foreign languages in universities. They have also accepted the recommendation of the Committee on Area Studies to develop the study of Foreign languages as part of the programme relating to Area Studies in selected universities.

डाक्टर की सम्मानार्थ डिग्री

248. डा० राम मनोहर लोहिया :
श्री किशन पटनायक :
श्री रामसेवक यादव :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) संविधान के लागू होने से 31 दिसम्बर 1965 तक केन्द्रीय विश्वविद्यालयों द्वारा कितने व्यक्तियों को डाक्टर की सम्मानार्थ डिग्री दी गई हैं ;

(ख) ये व्यक्ति किन वर्गों के हैं ;

(ग) इन में संघ तथा राज्य मंत्रियों की संख्या क्या है ;

(घ) क्या किसी ऐसे व्यक्ति को भी यह डिग्री प्रदान की गई है जो सरकार विरोधी विचार रखता हो ;

(ङ) उक्त अवधि के दौरान केन्द्रीय विश्वविद्यालयों में कितने दीक्षांत-भाषण हुए ; और

(च) क्या कोई ऐसा व्यक्ति जिस ने दीक्षांत-भाषण दिया था किसी एक विषय का अधिकारी विद्वान था परन्तु उसके विचार सरकार विरोधी

शिक्षा मंत्री (श्री मु० क० लागला): (क) 134

(ख) शिक्षा-शास्त्री, वैज्ञानिक, विद्वान, दार्शनिक, लेखक, सामाजिक कार्यकर्ता, कवि, संगीतज्ञ, विदेशों के राज्याध्यक्ष और अन्य संभ्रांत-जन, भारत के राष्ट्रपति, भारत के प्रधान मंत्री, गवर्नर और मुख्य मंत्री गण, केन्द्र और राज्यों के मंत्री ।

(ग) 12

(घ) ऐसा कोई मूल्यांकन नहीं किया गया है ।

(ङ) 71

(च) दीक्षांत-समारोहों में अभिभाषणों के लिए जिन व्यक्तियों को आमंत्रित किया जाता है, वे अपने-अपने कार्य क्षेत्रों में सुविख्यात होते हैं । किन्तु सरकार के प्रति इन व्यक्तियों के क्या विचार हैं, इसका मूल्यांकन नहीं किया गया है ।

भारतीय इतिहास की आलोचना

249. **डा० राम मनोहर लोहिया :**
श्री रामसेवक यादव :
श्री किशन पटनायक :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या युनेस्को ने इतिहास के सम्बन्ध में कोई ऐसा प्रकाशन प्रकाशित किया है जिसमें यह बताया गया है कि 1200 वर्ष ईसा पूर्व तक भारतीय कविता अथवा संगीत का कोई उल्लेखनीय अस्तित्व नहीं था ;

(ख) क्या कथित पुस्तक में पाटिलीपुत्र में बने लकड़ी के मकानों को चीन की नकल बतायी गयी है ;

(ग) क्या यह भी सच है कि कथित पुस्तक के प्रकाशन से पूर्व इस संगठन में भारतीय प्रतिनिधि ने भी इस पुस्तक को पढ़ा और इस का अनुमोदन किया ; और

(घ) इस संगठन में भारतीय प्रतिनिधि का क्या नाम है ?

शिक्षा मंत्री (श्री मु० क० लागला) : (क) और (ख). मानव जाति, सांस्कृतिक और वैज्ञानिक विकास के इतिहास खण्ड I में, जिसमें इस काल की चर्चा की गई है, इस संबंध में विशेष रूप से कोई उल्लेख नहीं मिलता है । फिर भी, इस विषय में यूनेस्को को लिखा जा रहा है, जिसके तत्वावधान में एक अन्तर्राष्ट्रीय आयोग द्वारा इतिहास प्रकाशित किया गया है ।

(ग) और (घ). मानव जाति के वैज्ञानिक और सांस्कृतिक विकास संबंधी इतिहास के निर्माण और प्रकाशन के लिए यूनेस्को ने 1951 में एक अन्तर्राष्ट्रीय आयोग स्थापित किया था और कार्य के निर्माण तथा उसे पूरा करने की सारी जिम्मेदारी आयोग को सौंप दी थी । आयोग में मूलतः 9 सदस्य थे, जिसमें एक भारतीय (डा० होमी भाभा) भी था । किन्तु बाद में, अधिक भौगोलिक सांस्कृतिक और दार्शनिक प्रतिनिधित्व प्रदान करने के लिए आयोग में और विद्वान शामिल किए गए । प्रो० आर० सी० मजुमदार आयोग के उप प्रधान और सरकार के एम० के० पन्निकर सदस्य बने । प्रो० आर० सी० मजुमदार ने, जिन्होंने इतिहास के पहले खंड को उसके प्रकाशन से पहले देखा था, इतिहास के पहले खंड में भारत के पूर्व-ऐतिहासिक काल के संबंध में कुछ गलतियां और खामियां

बताइ । अन्तर्राष्ट्रीय आयोग का ध्यान इस ओर आकर्षित किया गया जिसने इन गलतियों और खामियों की सूचना लेखक-सम्पादकों को दी ताकि प्रकाशन के लिए संशोधित पाठ्य/पाण्डुलिपि तैयार करते समय वे उन्हें ध्यान में रखें । इतिहास में किए गए उल्लेखों की जिम्मेदारी आयोग की है, यूनेस्को की नहीं ।

Awards to Teachers

†250. **Dr. Ram Manohar Lohia:**
Shri Ram Sewak Yadav:
Shri Kishen Pattnayak:

Will the Minister of **Education** be pleased to state:

(a) the outline of the scheme regarding national awards to teachers;

(b) the criteria and the procedure for giving the awards;

(c) the procedure and the criteria for scrutiny of examination results, interest taken in games, other items of teaching work, building and development of personality of students; and

(d) whether any complaint has been received in this connection by the Government of India?

The Minister of Education (Shri M. C. Chagla): (a) and (b). A brief note is laid on the Table. [*Placed in Library. See* No. LT-5459/66].

(c) A copy of the blank application form is also laid on the Table. [*Placed in Library. See* No. LT-5459 (ii) 66]. Scrutiny is done on the basis of the information furnished by the teacher/State Government concerned.

(d) No complaint has been received about the criteria and the procedure adopted for the selection of the teachers for the grant of award.

Students' Homes in Universities

251. **Shri Basumatari:** Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that the University Grants Commission has sanctioned one lakh rupees to each University for establishment of Students' Homes;

(b) the Universities which have submitted their plans for such Homes; and

(c) the names of Universities whose plans have been approved?

The Minister of Education (Shri M. C. Chagla): (a) Under the University Grants Commission scheme for the establishment of Student's Homes, the maximum grant payable to a University is Rs. 1 lakh. This grant is, however, not automatically payable to each and every University but depends upon the nature of proposal, the plans and estimates received, the existing number of students and the facilities like the reading seats etc. already available in case of a particular university from which a proposal in this regard is received.

(b) So far 24 Universities have submitted plans for such homes i.e. Aligarh, Andhra, Andhra Pradesh Agricultural, Banaras, Bihar, Gorakhpur, Gujarat Vidyapeeth, Jadavpur, Jiwaji, Karnatak, Madras, Mysore, Osmania, Punjab Agricultural, Poona, Rajasthan, Jamia Millia Islamia, Kashi Vidyapeeth, Marathwada, Kurukshetra, Varanasya Sanskrit Vishvavidyalaya, Indore, S. V. Vidyapeeth and Burdwan.

(c) (i) Osmania (ii) Karnatak (iii) Rajasthan (iv) Banaras (v) (v) Jiwaji (vi) S. V. Vidyapeeth (vii) Indore.

Privy Purses to Rulers

252. Shri Jashvant Mehta: Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government have reviewed the question of privy purses to the erstwhile rulers of princely States;

(b) how many such rulers died during the year 1965; and

(c) whether Government have reduced the quantum of the privy purse of their heirs or continued the same?

The Deputy Minister in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) The payment of privy purse amounts to the Rulers of former Indian States is an obligation on the Government of India under Article 291 of the Constitution. The Government have no proposal to review this question.

(b) Ten.

(c) Reduction has been made in one case with the consent of the Ruler and in another case no privy purse is being paid as the rulership has lapsed.

Arrest of Walcott

253. Shri S. M. Banerjee:
Shri Vishwa Nath Pandey:
Shri Hari Vishnu Kamath:
Shri Daljit Singh:
Shri Surendranath Dwivedy:
Shri Kotha Venkaiah:
Shri M. N. Swamy:
Shri Ram Sewak Yadav:
Shri Laxmi Dass:
Shri Ram Harkh Yadav:
Shri Kajrolkar:
Shri Dharmalingam:
Shri R. S. Pandey:
Shri Onkar Lal Berwa:
Shri R. Barua:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that a person named as Daniel Hailey Walcott has been recently arrested in Bombay;

(b) if so, whether he is the same person who was reported to be connected with many international smugglers' gangs; and

(c) the action taken by Government in the matter?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) and (b). Yes, Sir. He is the same person who is believed to be involved in many smuggling activities.

(c) A case is under investigation by the Central Bureau of Investigation.

Traffic congestion in Delhi

254. Shri Shiv Charan Gupta: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that footpaths and roadberms are being squatted upon in Delhi;

(b) whether it is also a fact that this adds to traffic congestion; and

(c) if so, the steps being taken by the authorities in this connection?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): (a) o (c). A statement is given below.

Statement

Many foot-paths and roadberms are squatted upon by Rehriwalas and unlicensed Pattri shops in Delhi. Traffic congestion is caused by these squatters.

The Delhi Municipal Corporation and the New Delhi Municipal Committee organize frequent programmes for removal of encroachments with the assistance of Magistrates and Police of the Delhi Administration. The Delhi Administration also prosecutes trespassers and removes encroachments under the ' Bombay Police Act, which has been extended to

Delhi. In many cases, the squatters have obtained stay orders from the courts and the matter is *sub-judice*.

As a part of the permanent solution to the problem, the Delhi Municipal Corporation have decided not to give any fresh licences to Rehriwalas. Temporary Teh-bazari permits are issued to squatters who are squatting in the New Delhi Municipal Committee area since 1957 and for allotment of sites to the verified squatters, a sub-committee has been constituted. The Delhi Development Authority has taken action to re-allocate specific areas to licensed Rehriwalas, where semi-permanent shops will be set up for them. Similar areas are being surveyed for re-allocation to Dhobis, Mochis and vegetable sellers.

Report of Prohibition Committee for Delhi

255. **Shri Shiv Charan Gupta:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that the erstwhile Delhi State Government appointed a Prohibition Committee for Delhi;

(b) what are the main recommendations thereof;

(c) what programme has been drawn up by the Government to implement these recommendations; and

(d) whether there is any possibility of enforcing total prohibition for Indian Nationals in Delhi?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) Yes.

(b) and (c). A statement showing the recommendations of the Committee and the action taken thereon is laid on the Table. [*Placed in Library. See* No. LT-5460/66].

(d) Enforcement of total prohibition in Delhi is linked up with the all India policy.

Delegation to U.S.S.R.

256. **Shri Dharmalingam:** Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that a five-man experts' delegation visited U.S.S.R. to study the system of educational administration and planning;

(b) if so, whether any report has been submitted by the delegation;

(c) the main points of the report; and

(d) the extent to which the trip has helped India in the field of education?

The Minister of Education (Shri M. C. Chagla): (a) Under the Indo-Soviet Cultural Exchange Programme for 1965-66, a four-man delegation of educationists/administrators left for U.S.S.R. on the 28th January, 1966, to study for a period of about four weeks, the educational system in that country. The fifth member, however, could not join the delegation.

(b) Not yet, Sir.

(c) and (d). Do not arise at present.

Uniform Jail Rules

257. **Shri Dasaratha Deb:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that the jail rules for political prisoners detained under the Defence of India Rules, 1962, differ from State to State;

(b) if so, the reasons therefor;

(c) whether Government of India propose to introduce uniform jail rules for the political detenus throughout India; and

(d) if so, when such a uniformity in jail rules is likely to be formulated and introduced throughout India?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) and (b). There are some differences due to local circumstances in the rules framed by State Governments and Administrations of Union Territories governing security prisoners.

(c) and (d). There is no proposal before the Government to introduce uniform jail rules throughout India. However, effort is being continued to have a uniform approach to the question of facilities and amenities afforded to detenus and to narrow down the existing differences to the greatest extent feasible, consistent with security and local conditions.

Migrants in Tripura

258. **Shri Dasaratha Deb**: Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) the number of families of migrants from East Pakistan still waiting in Tripura for rehabilitation;

(b) the number of families sent outside Tripura for rehabilitation during the year 1965-66 so far; and

(c) when the existing families of migrants who have been in camps of Tripura, are likely to be sent outside Tripura for rehabilitation?

The Minister of Labour, Employment and Rehabilitation (Shri Jagjivan Ram): (a) 525.

(b) 367

(c) 29 families awaiting dispersal to other States are expected to be moved to Bihar for rehabilitation shortly.

200 families of Rashtriya Vikas Dal will remain in Camps till the discharge of the Sahakaris concerned from the Rashtriya Vikas Dal. 296 families of Long Term Liability category will be accommodated in a P.L. Home in Tripura itself, where vocational training will be given to persons found suitable.

American Scholarship

259. **Shri Dasaratha Deb**: Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that Dr. Triguna Sen, the Rector of the Jadavpur University, West Bengal, was offered scholarship by some American Institution for studying in America;

(b) whether it is a fact that Dr. Triguna Sen had accepted that offer first, but ultimately he had to refuse to go to America; and

(c) if so, the reasons for his refusal?

The Minister of Education (Shri M. C. Chagla): (a) Dr. Triguna Sen was not offered a scholarship by an American Institution, but was invited by the Government of USA to attend the World Congress on Engineering Education held in Chicago from June 21—25, 1965, and to visit the institutions in that country.

(b) and (c) Dr. Sen accepted the invitation, but later decided not to make the visit on account of certain conditions that were attached in connection with this visit.

National Museum of India

260. **Shri Basappa**: Will the Minister of **Education** be pleased to state:

(a) whether the National Museum of India has presented a set of 20 plaster casts of Harrappan art to the Thailand Education Minister at Bangkok recently;

(b) whether this was reciprocated by them; and

(c) if so, by what set of museum articles?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) Yes. Sir.

(b) Yes. Sir.

(c) 26 items of motive tablets and others made of clay, terra-cotta and lead.

केरल में भाषा शिक्षक

261. **श्री प्रकाशवीर शास्त्री** : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) केरल के हाई स्कूलों में इस समय कितने भाषा-शिक्षक काम कर रहे हैं ;

(ख) उनमें से उन अध्यापकों की संख्या अलग-अलग कितनी है, जिनकी नियुक्ति अध्यापन-कार्य के लिये विभागीय स्कूलों, नगर निगमों की शिक्षण संस्थाओं तथा गैर-सरकारी शिक्षण संस्थाओं द्वारा की गई है ;

(ग) उनमें से उपाधिकारी, स्नातक तथा स्नातकोत्तर भाषा-शिक्षक कितने हैं ;

(घ) कितने स्नातक तथा स्नातकोत्तर भाषा-शिक्षकों ने उपाधि प्राप्त करने के पश्चात सेवा आरम्भ की है और कितने अध्यापकों ने बाद में उपाधि प्राप्त की है ; और

(ङ) दूसरे विषयों के स्नातकोत्तर शिक्षक कितने हैं और उनमें से कितने शिक्षकों ने सेवा में रहते हुए स्नातकोत्तर परीक्षा पास की है ?

शिक्षा मंत्री (श्री म० क० छागला) : (क) से (ङ). सूचना एकत्रित की जा रही है और सभा-पटल पर रख दी जाएगी ।

Minimum Pay of Teachers

262. **Shri J. B. S. Bisi:**
Shri D. C. Sharma:
Shrimati Savitri Nigam:

Will the Minister of **Education** be pleased to state:

(a) whether Government have asked the States to give a minimum salary of Rs. 100 to teachers;

(b) if so, what is their response to the proposal; and

(c) the extent to which the Centre is willing to assist the States to enable them to introduce the minimum pay of teachers?

The Minister of Education (Shri M. C. Chagla): (a) No, Sir.

(b) and (c). Do not arise.

Memorial to Shri B. G. Mehta

263. **Shri M. Rampure**: Will the Minister of **Home Affairs** be pleased to state:

(a) whether there is any proposal under consideration of the Central Government to raise any memorial in honour of the late Shri B. G. Mehta, Chief Minister, Gujarat; and

(b) if so, the details thereof?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): (a) and (b). No such proposal is under consideration.

Retirement Age of District Judges in Kerala

264. **Shri A. V. Raghavan**: Will the Minister of **Home Affairs** be pleased to state:

(a) whether there is any proposal before the Government of Kerala to raise the retirement age of District Judges in the judicial department;

(b) the number of District Judges likely to retire during the pendency of the present Proclamation in Kerala;

(c) whether this proposal was considered and rejected by the previous Ministry; and

(d) if so, the reasons for reviewing that decision now?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) to (d). The information is being collected and will be laid on the Table of the House as soon as possible.

12 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

DISCONTENT AMONG CENTRAL GOVERNMENT EMPLOYEES ON ACCOUNT OF INADEQUATE GRANT OF DEARNESS ALLOWANCE.

Shri S. M. Banerjee (Kanpur): I call the attention of the Minister of Finance to the following matter of urgent public importance and I request that he may make a statement thereon:—

> The serious discontent among twenty-five lakhs of Central Government employees on account of inadequate grant of dearness allowance.

The Minister of Finance (Shri Sachindra Chaudhuri): Sir, I have a statement to make. It is a 3-page statement. May I place it on the Table of the House?

Some hon. Members: It is an important statement. That may be read.

Mr. Speaker: That might be read then.

Shri Sachindra Chaudhuri: In terms of the Second Pay Commission's recommendation accepted by Government, the rates of dearness allowance admissible to Central Government employees are reviewed whenever the All India Consumers Price Index for Working Class rises by 10 points on an average for 12 months. On this basis the D.A. rates were recently revised from 1st December, 1965 when the average index had crossed 165 points.

The actual increases effected on this occasion are as follows:

> From Rs. 33 to Rs. 38, for those drawing pay below Rs. 110 p.m.;
>
> From Rs. 50 to Rs. 58, for those in the pay range of Rs. 110—149;
>
> From Rs. 65 to Rs. 76, for those in the pay range of Rs. 150/-209;
>
> From Rs. 81 to Rs. 93, for those in the pay range of Rs. 210/-399;
>
> From Rs. 90 to Rs. 100, for those in the pay range of Rs. 400—1000, with marginal adjustments upto Rs. 1,100.

The above increases represent roughly 75 per cent neutralisation of the rise in price index from 155 to 165 in respect of the lowest three categories, and 60 per cent for the next higher slab. An *ad hoc* increase of Rs. 10 was allowed for those in the salary range of Rs. 400—1,000 so that the total dearness allowance admissible to them is limited to Rs. 100 p.m. These percentages do not, however, fully represent the total relief available to the employees, since the general price index does not reflect benefits like house rent allowance, medical benefits, assistance for education of childden, city compensatory and other special compensatory allowances which are admissible in addition to dearness allowance.

It is true that the neutralisation allowed is on a slightly lower basis than the percentages which were recommended by the S. K. Das Enquiry Body appointed in 1964. The rates recommended by that Body were, however, related to the index average 145. Moreover, since Shri Das submitted his report, the situation has greatly changed, particularly in the wake of the unfortunate conflict with Pakistan last year. The Second Pay Commission themselves had not suggested any rigid linking of dearness compensation with the price index but had left freedom to Government to determine the quantum of compensation with reference to the circumstances existing at the time of revision, such as the causes of the rise in cost of living, the state

[Shri Sachindra Chaudhuri]

of the economy, and the social and economic consequences of the grant or denial of increase.

The increased dearness allowance allowed from 1st December, 1965 involves an additional burden of about Rs. 25 crores annually, and it must be remembered that, very roughly, every extra rupee per month allowed to Government employees means an additional annual expenditure of nearly Rs. 3 crores, not taking into account the employees of the State Governments, public sector undertakings, municipal bodies etc. As hon. Members are well aware, the country's economy is at present being subjected to exceptional stresses and strains, and the resources position is none too satisfactory. There is imperative need to keep down administrative expenditure and to curb inflationary pressures. Under the compulsions of the Defence and developmental programmes, some hardship has inevitably to be borne by all sections of the community including Government employees. In these circumstances the increases already allowed can hardly be considered inadequate and do not provide a valid ground for discontent among the employees.

Hon. Members must also be aware that there have been protests from State Governments against the periodical revisions of dearness allowance for Central Government employees. When the matter was discussed with some Chief Ministers recently in pursuance of a decision taken last year in the Resources Committee of the National Development Council, they pointed out the repercussions of our decisions on their employees and that their resources position did not permit them to assume the burden of any additional emoluments being given. Further, monetary increases do not mean real relief for the employees as experience shows that this is largely off-set by simultaneous increase in prices of articles of common consumption. Government, have, therefore, decided to examine afresh the whole question of dearness compensation so that effective ways can be found of making available real benefits for Government employees without putting additional burden on other sections of society. This matter is now receiving attention and I would welcome any suggestions that hon. Members may have to make. There is of course no decision at all to discontinue payment of the dearness allowance now being given.

Shri S. M. Banerjee: From the statement it appears—it has been admitted by the hon. Finance Minister—that the neutralisation recommended by the Das Commission was not accepted or adhered to by the Government. At present whatever neutralisation has been given is only 70 per cent instead of 90 per cent recommended by the Das Commission. I would like to know whether it is a fact that on 12th August, 1965 when the Central Government employees' representative met the late lamented Shri Lal Bahadur Shastri, he gave a definite assurance that the Das Commission's recommendation would be regarded as an award and if so, I would like to know whether the present Prime Minister will respect that word—keep this award or tinker with it or throw it to the winds.

Shri Sachindra Chaudhuri: I am not personally aware of the assurance of the late Prime Minister, but I am prepared to accept what my hon. friend says if he has assured himself that that is the correct position.

Even assuming that it is an award, the question will arise whether it is possible to implement that award or not. I have stated the circumstances in which, despite our best efforts, we have not been able to neutralise to the extent of 90 per cent in the case of certain employees. We will welcome any views that may be given for the purpose of an alternative scheme without in any way taking away the benefits already given; we may sit down together and consider what has been the real benefit to the employees.

I have not been legalistic in this matter. I cannot say whether this award can or cannot be enforced. With all humility, I am trying to be as practical as I can, so that there may be real removal of the trouble that government employees, along with others, suffer. If my friends help me in that, it will probably be more constructive than the question whether this was an award or not. I am not quarrelling on this. If my friend says that he has assured himself that there was an assurance given by the late Prime Minister, certainly I will accept that. Having done that, I should consider whether I am in a position financially to honour that. If I honour that, I will certainly be denying the other institutions, the other persons and the other bodies, whose needs are equal, if not more, the little assistance which, having regard to finances of this country, can be given to them.

Shri S. M. Banerjee: My question was very clear. When there was the mass agitation throughout the country, delegation saw the hon. late Prime Minister Lal Bahadur Shastri and a specific question was put to him whether the Das Commission's recommendations would be treated as an award and he said that it would be treated as an award. Now the arguments advanced by the Finance Minister are two or three, namely, the situation has changed because of Pakistani aggression, secondly the intrusion by the Chief Ministers and then the incursion by the Chamber of Commerce which he has not said. I would like to know why the Central Government employees should suffer and why this award should not be accepted by the present Prime Minister. Today we are going to demonstrate before her bungalow.

Mr. Speaker: Does he want me to join him?

Shri S. M. Banerjee: Let the Prime Minister intervene and give a reply.

Mr. Speaker: If she wants to reply, she can. But the Finance Minister has already explained; he has explained the position; he has not denied that it was an award; he says that he does not know, he is not sure and it may be an award; even then he says that there are certain difficulties which he has tried to explain. Whether they are adequate justification or not is a different thing altogether.

Shri S. M. Banerjee: Can he go back on it?

Shri Ranga (Chittoor): The point arises this way, if it was an award at all. My hon. friend is an eminent lawyer. Has he conceded ever before any court that the executive authority has got the right to tamper with that award and not to implement it but plead their own practical difficulties?

Mr. Speaker: In view of these observations, he has said that he would consider that and see it.

Shri Priya Gupta (Katihar): In view of the fact that the Government of India or rather the ex-Finance Minister, Shri T. T. Krishnamachari, had openly come out with a statement on the floor of this August House that the Government had failed to arrest the spiralling rise in the cost of living, and in view of the recent decision of the Government of India that since during the last five years there has been an increase six times in the dearness allowance, no further dearness allowance could be given to the Central Government employees, and in view of the decision of the Government of India to have some re-thinking about the problem with a view to finding out a fresh solution for supplying things in kind, may I know whether the Government of India have examined and considered and decided about the submission of the All India Railwaymen's Federation for supply of the necessary commodities of life at a subsidised rate through subsidised grainshops, as it obtained in 1949 for the railwaymen, to compensate for the shortfall in

[Shri Priya Gupta]

wage and also for allowing cash in the shape of the dearness allowance to neutralize the balance shortfall without making a discrimination between the class IV, class III, class II and class I staff, since the minimum necessaries of life are sold at equal prices for all classes of employees, class IV, class III, class II and class I alike? May I know the reply to this question? (*Laughter*). It is not a matter to be laughed at....

Mr. Speaker: I am sorry I had to laugh; the hon. Member should not resent it. I was laughing only at my shortness of memory, because I had lost the thread of what he had said. By the time the hon. Member reached the end of his question, I had lost the beginning and the middle.

Shri Priya Gupta: May I know whether Government have considered the question of having subsidised grainshops.

Mr. Speaker: He has said that already. Now, let us hear the hon. Minister.

Shri Sachindra Chaudhuri: I must confess that with my limited intelligence it has been rather difficult for me to formulate exactly what question was being put to me; it is my fault and nobody else's.

Shri Priya Gupta: If at all my hon. friend wants to understand it, it would be clear.

Shri Sachindra Chaudhuri: I have already confessed that it is my shortcoming and nobody else's. So, why blame me any more on that point? If I have understand the question correctly—my hon. friend may correct me if I am wrong—his question was what we could do about subsidised grainshops. We shall certainly take that into consideration. I have already welcomed suggestions from all Members of this House. If they would be kind enough to meet me or write to me and let me know what their suggestions are, we shall examine them.

Shri S. M. Banerjee: Why not convene a meeting?

Shri Sachindra Chaudhuri: I cannot convene a meeting of the entire body of this House. I can convene a meeting of a few Members only. If my hon. friend will kindly let me know and tell me, I shall certainly convene a meeting.

Shri Priya Gupta: He had promised to meet the delegates from the All India Railwaymen's Federation....

Mr. Speaker: The hon. Member will be called as a Member to that meeting.

Shri Daji (Indore): The statement of the hon. Finance Minister himself admits that this n ggardly and beggarly rise actually amounts to a wage cut. If the award of the Das Commission is to be changed unilaterally in this manner, I would like to know whether Government realise the repercussions that it will have on the employees? Would it not have been advisable to place all the reasons why Government want to change the recommendations before another commiss on headed by a Supreme Court Judge? Let that judge independently judge whether the reasons advanced by Government are valid or not. Let them not abrogate unilaterally the decision of a Supreme Court judge thereby undermining the confidence of the Government employees in the honesty and the *bona fides* of the Government themselves.

Shri Sachindra Chaudhuri: Shorn of all the adjectives, the question is whether this matter should again be referred to a Supreme Court Judge or not. That is a matter which may be considered. But a Supreme Court Judg's findings are not going to provide the immediate relief which might possibly be considered by the employees themselves. Therefore, I have invited the representatives of

the people to tell me if there are any immediate means which we can adopt. So far as reference again is concerned, it may be considered, if that is going to be useful.

Shri A. P. Sharma (Buxar): In his statement, the Finance Minister has raised three pertinent points. First, he said that the Second Pay Commission did not lay down any limit. He should understand that at the time that Commission investigated the matter, they did not visualise the prices rising so high as they are now. Therefore, they did not make a specific recommendation beyond 125 points.

He referred to the S. K. Das Commission. The Government set up that Commission. On the floor of this House, the Government made a commitment that they will accept the recommendations of the Commission. Other friends boycotted the Commission; only the section of workers represented by the INTUC cooperated with the Commission. Government did not accept the recommendations of the Das Commission.

The third point he has raised is that the State Governments are coming in the picture and are influencing the decision of the Central Government because of their difficulties.

May I know what was the justification for Government in going back on their commitment and they change the recommendations unilaterally without consulting the Central Government employees' representatives? I want to know....

Mr. Speaker: That should be enough. He has already put the question.

Shri A. P. Sharma: These are clarifications. Now I am coming to the question.

How long are Government going to be influenced by so many considerations, creating further agitation and discontent among the employees by taking arbitrary decisions?

Shri Sachindra Chaudhuri: My first answer is that the decision is not arbitrary. It has been given every consideration possible. My second answer is that whenever any forces come up, Government as a matter of duty consider those forces and the result of those forces, keeping in view this, that it is also the duty of Government to try to help its employees as far as it is pecuniarily possible, as far as it is physically possible, to do so.

Shri A. P. Sharma: Why not consult the employees before taking a decision?

Shri Priya Gupta: The Central Government has not taken a decision in spite of the fact that prices have risen....

Mr. Speaker: No, no. I cannot allow the hon. Member to put a question again. He should resume his seat.

Shri Priya Gupta: Does the Government want its employees to starve?....

Mr. Speaker: Order, order. He is obstructing the proceedings.

Shri Priya Gupta: I only want to ask....

Mr. Speaker: If he does not resume his seat, I will have to name him. I find this Member always in the habit of obstructing the proceedings....

Shri Priya Gupta: If the Government want its employees to starve, let them say so frankly....

Mr. Speaker: I will name the hon. Member, Shri Priya Gupta.

Shri Priya Gupta: All right. I will go away.

Mr. Speaker: He might kindly leave.

Shri Priya Gupta: Do they want the employees to starve?

Mr. Speaker: He should go out.

Shri Priya Gupta: But still I want to say this: If the Government want their employees to starve, let them say so frankly.

Mr. Speaker: He is persisting in his defiance. He should leave.

Shri Priya Gupta: I am leaving. Thank you very much.

Shri Priya Gupta then left the House.

Shri A. N. Vidyalankar (Hoshiarpur): The Minister has admitted that it was not taken as an award. I want to ask whether non-acceptance of the award on the plea of Government's incapacity to pay does create serious implications. Has he examined the implications of this because under the same plea many of the awards given by courts and tribunals concerning private industrialists, will not be accepted by private industrialists? Will it not be possible for them to take cover under the same plea and not accept those awards?

Shri Sachindra Chaudhuri: As I said, I have not gone into the matter in a legalistic way. If I am asked to consider it as an award, then undoubtedly other questions will arise, but legally speaking, it is not an award. What was said before and in this House just now is this, that the late Prime Minister had agreed to accept it as an award. I said I would proceed from that point, and I had pointed out that even if it is an award, there may be considerations, there may be circumstances which make it impossible for Government to abide by the terms of that award, and I am saying that the circumstances are such, having regard to the conditions in the country, having regard to the difficulties that the Government is facing, that it should review what would be the position, assuming that we do consider the Das Committee's report to be an award. That is exactly what we have done. On top of that, I have said I am prepared to consider every suggestion that may be made for the purpose of alleviation of the conditions of the employees, provided it is possible to do it within the funds available to Government. Beyond that, what can I assure Members?

12.21 hrs.

PAPERS LAID ON THE TABLE

REPORT OF ENQUIRY ON THE FATAL ACCIDENT IN RAJNAGAR COLLIERY ETC.

The Minister of Labour, Employment and Rehabilitation (Shri Jagjivan Ram): I beg to lay on the Table—

(i) Report of Enquiry on the fatal accident in Rajnagar Colliery on the 8th November, 1965. [*Placed in Library. See* No. LT-5436/66].

(ii) Report of Enquiry into the Dheri Colliery Disaster, 1965. [*Placed in Library. See* No. LT- 5437/66].

(iii) A copy each of the following notifications under sub-section (7) of section 59 of the Mines Act, 1962:—

(a) The Coal Mines (Fourth Amendment) Regulations, 1965, published in Notification No. G.S.R. 1789, in Gazette of India dated the 4th December, 1965.

(b) The Mines (Second Amendment) Rules, 1965, published in Notification No. G.S.R. 1886, in Gazette of India dated the 25th December, 1965.

[*Placed in Library. See* No. LT-5438/66].

NOTIFICATIONS UNDER THE INDIAN TELEGRAPH ACT

The Minister of Parliamentary Affairs and Communications (Shri Satya Narayan Sinha): I beg to lay on the Table a copy each of the

following Notifications under sub-section (5) of section 7 of the Indian Telegraph Act, 1885:—

(i) The Indian Telegraph (Third Amendment) Rules, 1965, published in Notification No. G.S.R. 1842 in the Gazette of India, dated the 18th December, 1965.

(ii) The Indian Telegraph (Amendment) Rules, 1966 published in Notification No. G.S.R. 75 in Gazette of India, dated the 8th January, 1966.

[*Placed in Library. See* No. LT-5439/66.]

FORMATION AGREEMENT FOR ESTABLISHMENT OF AN OIL REFINERY AT MADRAS ETC.

The Minister of Petroleum and Chemicals (Shri Alagesan): I beg to lay on the Table a copy each of the following papers:—

(i) Formation Agreement between Government of India and National Iranian Oil Company & AMOCO India Incorporated of U.S.A. for establishment of an Oil Refinery at Madras, dated 18th November, 1965. [*Placed in Library. See* No. LT-5440/66].

(ii) Crude Oil Sales agreement between Government of India and National Iranian Oil Company and PAN American International Oil Company for sale of crude oil to Madras Refineries Limited, dated 18th November, 1965. [*Placed in Library. See* No. LT-5441/66].

(iii) (a) Annual report of Fertilisers and Chemicals, Travancore Limited, for the year 1964-65, along with Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.

(b) Review by Government on the working of the above company.

[*Placed in Library. See* No. LT-5442/66].

UNION PUBLIC SERVICE COMMISSION (EXEMPTION FROM CONSULTATION) (THIRD AMENDMENT) REGULATIONS ETC.

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): Sir, I beg:

(1) to re-lay on the Table—

(i) A copy of the Union Public Service Commission (Exemption from Consultation) (Third Amendment) Regulations, 1965, published in Notification No. G.S.R. 1672 in Gazette of India dated the 20th November, 1965, under clause (5) of Article 320 of the Constitution, together with an explanatory note. [*Placed in Library. See* No. LT-5324/65].

(ii) A copy of Notification No. G.S.R. 1673 published in Gazette of India dated the 20th November, 1965 making an amendment to Schedule III to the Indian Administrative Service (Pay) Rules, 1954, under sub-section (2) of section 3 of the All India Services Act, 1951, [*Placed in Library. See* No. LT-5325/65].

(2) to lay on the Table a copy each of the following notifications making certain amendments to the Indian Administrative Service (Pay) Rules 1954, under sub-section (2) of Section 3 of the All India Services Act, 1951:—

(i) G.S.R. 1716 published in Gazette of India dated the 27th November, 1965.

(ii) G.S.R. 1718 published in Gazette of India dated the 27th November, 1965.

[Shri Hathi]

(iii) G.S.R. 1763 published in Gazette of India dated the 4th December, 1965.

(iv) G.S.R. 1764 published in Gazette of India dated the 4th December, 1965.

(v) G.S.R. 1765 published in Gazette of India dated the 4th December, 1965.

(vi) G.S.R. 1766 published in Gazette of India dated the 4th December, 1965.

(vii) G.S.R. 1767, published in Gazette of India dated the 4th December, 1965.

(viii) G.S.R. 1796 published in Gazette of India dated the 11th December, 1965.

(ix) G.S.R. 1949 published in Gazette of India dated the 18th December, 1965.

[*Placed in Library. See* No. LT-5446/66].

(3) A copy of the Kerala Escheats and Forfeitures Rules, 1965, published in Notification No. S.R.O. 184|65 in Kerala Gazette dated the 4th May, 1965 under sub-section (3) of section 17 of the Kerala Escheats and Forfeitures Act, 1964 read with clause (c) (iv) of the Proclamation dated the 24th March, 1965 issued by the Vice-President, discharging the functions of the President, in relation to the State of Kerala. [*Placed in Library. See* No. LT-5444/66.]

(4) A copy of the Kerala Fire Force Rules, 1965, published in Notification No. G.O.Ms No. 406|65|Home in Kerala Gazette dated the 9th November, 1965 under sub-section (3) of section 35 of the Kerala Fire Force Act, 1962 read with clause (c) (iv) of the Proclamation dated the 24th March, 1965, issued by the Vice-President, discharging the functions of the President, in relation to the State of Kerala. [*Placed in Library. See* No. LT-5445/66].

(5) A copy of the Indian Police Service (Uniform) Amendment Rules, 1965, published in Notification No. G.S.R. 1717 in Gazette of India dated the 27th November, 1965 as amended by Notification No. G.S.R. 12 published in Gazette of India dated the 1st January, 1966 under sub-section (2) of section 3 of the All India Services Act, 1951. [*Placed in Library. See* No. LT-5446/66].

NAVY (ENROLMENT) REGULATIONS, 1965

The Minister of Defence (Shri Y. B. Chavan): On behalf of Shri A. M. Thomas, I beg to relay on the Table a copy of the Navy (Enrolment) Regulations, 1965, published in Notification No. S.R.O. 359 in Gazette of India dated the 30th October, 1965, under section 185 of the Navy Act, 1957. [*Placed in Library. See* No. LT-5172/65].

NOTIFICATIONS UNDER SECTION 24 OF THE PERSONAL INJURIES (COMPENSATION INSURANCE) ACT.

The Deputy Minister of Planning (Shri D. R. Chavan): On behalf of Shri Shah Nawaz Khan I beg to lay on the Table a copy each of the following Notifications under section 24 of the Personal Injuries (Compensation Insurance) Act, 1963.

(i) The Personal injuries (Compensation Insurance) Amendment Rules, 1965, published in Notification No. S.O. 77 in the Gazette of India dated the 1st January, 1966.

(ii) The Personal Injuries (Compensation) Insurance Amendment Scheme, 1965, published in Notification No. S.O. 78 in the Gazette of India dated the 1st January, 1966.

[*Placed in Library. See* No. LT-5447/66].

12.25 hrs.

STATEMENT *RE.* SITUATION ON INDIA-CHINA BORDER

The Minister of Defence (Shri Y. B. Chavan): Sir, I last dealt with the situation on the borders with China on

30-11-1965 and 6-12-1965 on the floor of this House. Since a large number of questions have been asked by Members of Parliament about the happenings since then, I am making this statement to indicate the up-to-date position.

During the months of December 1965 and January 1966, the Chinese committed as many as 27 violations. 19 of them were in Ladakh, 4 in NEFA, one in U.P. and 3 in Sikkim. In all these areas, they withdrew after a short interval. No violations have so far been reported in February.

As I indicated to the House earlier, on 26th November 1965 the Chinese crossed the Thagla ridge and took up positions on our side of the border. A few days later about 250 armed Chinese moved further south to Namkachu river and some of them closed over the south bank. This intrusion continued till 2nd December 1965. Thereafter on the night of 5th|6th December a sizeable force of the Chinese troops crossed the Thagla Ridge area, again re-entered the Namkachu Valley and penetrated upto Hatung La ridge which is about 3 miles, as the crow flies, south of the international border. On 10th December about 400 armed Chinese troops entered the Longju area in the Subansiri district of NEFA and intruded to a depth of 1½ to 2 miles into Indian territory. During their stay in the Longju area and in the area south of the Thagla ridge, the Chinese troops indulged in construction of bunkers and digging of trenches. On 27th December the Chinese withdrew from the Longju area and on 29th December from the Thagla ridge area.

In the Sikkim area on 12-12-1965 about 250 to 300 Chinese troops intruded into Sikkim territory, 3 miles north-west of Sese La and fired at an Indian patrol using mortars and automatic weapons. The Indian personnel returned the fire in self-defence. As a result of the firing, which went on for several hours, five Indian personnel were killed and three were captured by the Chinese of whom one died in captivity. The Chinese later returned six dead bodies and two of our personnel. One Indian soldier is still missing. 30 of the Chinese intruders were also killed in the same firing. (डा० राम मनोहर लोहिया : 30 में कोई एक भी मिला ?) The Chinese carried back the dead bodies under cover of darkness. Besides this major incident, the Chinese indulged in firing across the border in the Nathu La area on the night of 10th December and again on the night of 19th December. Earlier a 30 man strong intrusion was made by the Chinese on 10th December in the Bom Cho area of north Sikkim. But the Chinese retreated on sighting an Indian patrol sent to intercept them.

In the middle sector, a Chinese aircraft intruded into Indian air space upto a depth of five miles in the Mana area on 16-12-1965.

In the Ladakh sector, the Chinese have been continuing to visit two hill features about two and four miles respectively on the Indian side of the 'line of actual control', where they have also been carrying out constructions and exercises. This is in the Daulet Beg Oldi area opposite the Indian checkpost at track Junction.

In addition to the actual intrusions on our side of the border or the so-called 'line of actual control', the Chinese are continuing to maintain their troops in strength on their side, including inside the 20-kilometre demilitarized belt.

The Chinese have, during the past year, increased their military potential in Tibet. Apart from bringing in additional troops they have reinforced their artillery strength. They have also improved the Sinkiang-Kunming air complex. Considerable road construction has taken place all along the border and there has also been considerable fresh construction of accommodation and bunkers close to the

[Shri Y. B. Chavan]

border. The tone of the Chinese notes continues to be an aggressive one.

These intrusions followed a definite pattern and the motive behind them appears to be to continue the state of tension along our northern borders. The Chinese are developing an offensive posture on our northern borders and we must therefore maintain a close watch on their activities. The House may rest assured that appropriate defensive measures are being taken to meet the threat.

Some hon. Members *rose—*

Mr. Speaker: I can allow a few questions, about four or five, one from each group.

श्री यशपाल सिंह (कैराना) : एक सवाल इतना जरूरी है कि सारे हाउस को अन्धेरे में रखा जा रहा है ।

अध्यक्ष महोदय : अच्छा, मैं वह रोशनी भी ले लूंगा । आप बैठ जाइए ।

Shri Ranga (Chittoor): May I suggest, consistent with the need for maintaining military secrecy, would the government take an early opportunity of informing the House or the Consultative Committee as to the steps they have been taking in order to improve communications in the NEFA, Nagaland and other border areas and also about the strategic steps that we are taking in order to ensure the needed protection and support for our troops in these strategic areas?

Shri Y. B. Chavan: I am certainly prepared to discuss and disclose some of the information to the Consultative Committee as the hon. Member has suggested. I am prepared to do that.

श्री यशपाल सिंह : आखिर इतनी बड़ी जनता को कब तक अंधेरे में रक्खा जायेगा ? थागला रिज से 1962 से बाद से एक मिनट के लिए भी चीनी फौजें नहीं हटी हैं और तब से वह लगातार उनके कब्जे में चला आ रहा है। जब भारतीय जनता पूछती है कि उन को कब हटाया जायेगा तो प्रधान मंत्री और सरकार यह जवाब देते हैं कि चीन के लिए हर वक्त दरवाजा खुला है और वह कभी भी बातचीत कर सकता है । अब यह तो श्रीमन्, वही बात हुई कि एक डकैत 50 लाख रुपया लेकर जाता है और मैं कहूं कि डकैत के लिए हर वक्त रास्ता खुला हुआ है । एक मिनट के लिए भी थागला रिज से चीन की फौजें पीछे नहीं हटीं और इस तरह जो उसने हमारा 38000 मुरब्बा मील क्षेत्रफल हड़प रखा है और हम थोड़ा सा भी उसका हिस्सा उससे वापिस नहीं ले सके हैं और उलटे कहते हैं कि बातचीत के लिए दरवाजा हमेशा खुला हुआ है तो उस तरह से आखिर कब तक यह सरकार भारतीय जनता को धोखे में रखेगी ? कुछ तो जवाब इस वक्त मिना चाहिए । आखिर यह दरवाजा किस चीज के लिए सरकार ने खुला रक्खा है ? क्या डकैत और भी लूट मार कर सकें और हमारी भूमि हड़प कर सकें इसके लिए हमने दरवाजा खुला रक्खा हुआ है ?

श्री ओंकार लाल बेरवा (कोटा) : समझौते के लिए ।

Shri H. N Mukerjee (Calcutta Central): Could I know whether the Government has kept the Colombo powers and other friendly countries consistently informed about the kind of thing which China is reportedly doing on our northren borders so that India's desire for a settlement on honourable terms can be stressed at the same time as India's determination to defend her frontiers?

Shri Y. B. Chavan: I think the countries which are named popularly as the Colombo powers have been consistently kept informed about the intrusions, etc. That is done.

Shri Hem Barua (Gauhati): While we have accepted the Colombo proposals for peace, China has *in toto* refused to touch these even with a pair

of tongs, our late Prime Ministers, including Mr. Nehru, have been telling us that there could be no talks with China unless and until China implements these proposals *in toto*. That is what our late Prime Ministers were telling us. Now, from the statement of the Defence Minister, it has become very clear to all of us that China has violated even the demilitarised zones fixed under the Colombo proposals. In this context, and in view of the fact that our Prime Minister, Shrimati Indira Gandhi, has been going about telling the country that she is prepared for talks with China, may I know what is the basis or what would be the basis of talks with China? Is she going to write off all the assurances given to us by the late Prime Ministers including her father?

The Prime Minister and Minister of Atomic Energy (Shrimati Indira Gandhi): No, Sir.

Shri Hem Barua: What is 'No'? Let us be clear about it. What she has been telling the country that she is prepared for talks with China is a fact. It was reported in the newspapers. When I asked her whether she is prepared to have talks or whether she is going to write off her father's assurances, she said "No" "No" to what? (*Interruption*).

Some hon. Members *rose*—

Mr. Speaker: Order, order.

Shri Hem Barua: "No" to write off assurances or "No" to talks with China? (*Interruption*).

Mr. Speaker: Order, order. This question has been answered.

Shri Hari Vishnu Kamath: (Hoshangabad): It is a monosyllabic answer. It is no answer. (*Interruption*).

Mr. Speaker: Order, order. When the question is, "Is she going to write off the assurances—(*Interruption*).

Shri Hari Vishnu Kamath: "Or", he said; whether she is going to have talks or write off the assurances. (*Interruption*).

Mr. Speaker: Order, order. About the assurances given by the late Prime Ministers including he father, she said, "No." What else can be done?

Shri Hem Barua: I am very sorry, Sir, that you have misunderstood me completely. You did not hear me This is how you treat us people coming from a backward State. I am very sorry. (*Interruption*). Now I submit that this is how you treat us people coming from a backward State. I put two alternatives. (*Laughter*). This cannot be a matter for laughter.

Mr. Speaker: It is a matter for laughter only to the extent that a State which can produce Mr. Hem Barua cannot be called a backward State.

Shri Hem Barua: Let us have a reply to that question. Let us not laugh it out. Let us have a reply from her.

Mr. Speaker: Dr. Singhvi.

Shri Hari Vishnu Kamath: Why do you come to her rescue, Sir? It is an important question; let her answer it.

Mr. Speaker: I have told Shri Hem Barua that we got the answer. Why should he stand in between?

Shri Hari Vishnu Kamath: Why not? He is my colleague.

Mr. Speaker: I know he is your colleague.

Dr. L. M. Singhvi (Jodhpur): May I know whether there is any indication of any fresh initiative on the part of any Colombo powers or any move to revise the terms and conditions on which we are prepared to enter into negotiations with China on the matter of our northern borders?

Shrimati Indira Gandhi: Not to my knowledge. In reply to Mr. Hem Barua's earlier question, I do not know what exactly was reported, but I do know what I have said on this subject. What I said was . . .

Shri Hem Barua: We have read your statements very carefully.

Shri Hari Vishnu Kamath: The press reports you faithfully.

Shri Hem Barua: Every word of your statements we follow.

Shri Hari Vishnu Kamath: The press is very kind to you.

Shrimati Indira Gandhi: I feel flattered by Mr. Barua's attention to my statements. Nevertheless, all statements are not always very accurately reported.

Shri Hari Vishnu Kamath: Why not contradict them?

Shrimati Indira Gandhi: What I have said publicly in answer to questions is that we are prepared to talk with China or with anybody should the proper conditions for such talks arise.

Dr. L. M. Singhvi: I asked whether there is any fresh intiative on the part of the Colombo Powers and whether there is any revision of the terms and conditions.

Shrimati Indira Gandhi: I said, no.

श्री बड़े (खारगोन) : अभी सुरक्षा मंत्री जी ने अपने वक्तव्य में बतलाया कि नामकाछू रिवर के इस साईड पर चीनी फौजें आ गयी हैं जिससे मैं समझता हूं कि उतने क्षेत्र पर अभी उनका कब्जा है । साथ ही एक प्रश्न पूछना है कि जब वह कोलम्बो प्रोपोजल्स मानते नहीं हैं तो फिर आपको उनके अनुरूप वर्ताव करना चाहिए और जैसे आपने अपनी फौजें सियालकोट में भेज कर फ्रंट खोला था वैसे ही यहां पर भी अपनी आर्मी भेज कर चीनीयों को वहां से पीछे क्यों नहीं हटाया इसके लिए आप को क्या कहना है ?

Shri Y. B. Chavan: About the first part of the question, I would refer him to the statement I made. In para 2 I have said that in all these areas, they withdrew after short interval. They are not in occupation of any of these areas now. About the other part, this is a matter of an operational nature and we cannot discuss it. Our strategic approach in this matter is defensive. I think we are very much correct in that.

डा० राम मनोहर लोहिया (फर्रुखाबाद) : एक तरफ माननीय रक्षा मंत्री का संकल्प है सीमाओं की रक्षा का, दूसरी तरफ़ माननीय प्रधान मंत्री का संकल्प है कि वह चीन से कुछ हालतों में बात करेंगी तो इस स्थिति में क्या माननीय प्रधान मंत्री और रक्षा मंत्री को पता चला है कि पेकिंग चीन के सबसे बड़े विदेशी दोस्त एडगर स्नो ने बताया है कि शायद पेकिंग चीन कैलाश मानसरोवर और पूर्व वाहिनी ब्रह्मपुत्र के इलाके को खाली करने को तैयार हो जाये और इसके बाद आगे शायद तिब्बत को स्वतंत्र करने के लिए भी तैयार हो जाये, उससे भी यह सवाल उठता है और अगर इन दोनों को यह बात पता नहीं है तो क्या वह पता लगाने की कोशिश करेंगे ?

Mr. Speaker: Some minister should answer.

Shri Y. B. Chavan: Certainly we have read the statements made by Edgar Snow in these matters. But these statements must be taken at the face value. It is difficult to depend on these statements and take any political steps on them.

डा० राम मनोहर लोहिया : अब इस वक्त मैं आप की मदद चाहूंगा । एडगर स्नो पेकिंग चीन के सब से बड़े विदेशी दोस्त है । माननीय मंत्री को यह शोभा नहीं देता कि इस तरीके का जवाब दें । उन को ऐसे बयानों का अध्ययन करना चाहिए और अध्ययन करके पता लगाना चाहिए । आखिर यह सरकार किस लिए बनी हुई है । अगर उन्होंने यह बयान पढ़े बिना यूंही कह दिया हो तब तो और बात है । अब अगर पता नहीं है तो माननीय प्रधान मंत्री से आप पूछवायें ।

अध्यक्ष महोदय : अब आप सुझाव दे दिया है कि अगर उन्हें पता न हो तो उसको पढ़ें अध्ययन करें और उसका पता लगायें अब और आप क्या चाहते हैं ?

डा० राम मनोहर लोहिया : प्रधान मंत्री बैठे हुए है उन से पूछ सकते हैं । अब देखिये यह पुरानी बात हो जाती है । एडगर स्नो की बात छप चुकी है और मैं ध्यान खींच चुका हूँ उन का तो इस स्थिति में जब और सब बातें हो जाती हैं तो इस पर भी उनका ध्यान जाना चाहिए, खास कर प्रधान मंत्री का .....

अध्यक्ष महोदय : आपने सवाल किया और कुछ वाक्यात बताये और कुछ इनफॉर्मेशन दी और उन से पूछा कि क्या उनको इस बयान का पता है और अगर नहीं पता है तो क्या उसका पता लगाने की कोशिश करेंगे तो उसका जवाब तो साफ़ आ जाता है जब आपने कहा है कि जरूर गवर्नमेंट उसका पता लगाये और अगर उनको पता न हो तो अब उस का मैं और क्या जवाब दूं या उन से आप को दिलवाऊं। उन्होंने कहा कि वह जो बयान है वह हमारे नोटिस में आया है मगर उस की फेस वैलयू जितनी है उतनी देनी चाहिए उस से ज्यादा देनी नहीं चाहिए । मैं इस से ज्यादा और क्या पूछ सकता हूं ?

डा० राम मनोहर लोहिया : अगर उन्होंने यह कहा होता कि हमें इस बयान का पता नहीं है, आगे पता लगायेंगे, तो मेरा सवाल वहां पर रुक जाता, लेकिन उन्होंने यह नहीं कहा उन्होंने कहा कि उनको बयान का पता है लेकिन जैसे उस को रद्दी की टोकरी में फेंक दिया—उससे कोई मतलब नहीं है, इसलिए मैं आपकी मदद चाहता हूं । मंत्रियों का इस तरह का रुख देश के हित में बड़ा खतरनाक है । अगर उन्होंने बयान पढ़ा, तो उन को कार्यवाही करनी चाहिए थी । आखिर एडगर स्नो कोई मामूली आदमी नहीं है ।

अध्यक्ष महोदय : मैं ने सुन लिया है अब माननीय सदस्य बैठ जाएं ।

Shrimati Vijay Lakshmi Pandit (Phulpur): Sir, the article referred (**डा० राम मनोहर लोहिया** : बुआ बोली भानजी की जगह).... to by the hon. Member is two years old, and since that article was written I have had the opportunity of meeting Mr Edgar Snow at least four occasions—three I am sure of. I think, possibly four—and, therefore, one cannot say that what was written in that article is the exact view that Mr. Edgar Snow holds today.

डा० राम मनोहर लोहिया : अब यह मामला बढ़ गया है न्यायत महोदय,....

अध्यक्ष महोदय: अब मैं आगे नहीं जा सकता हूं ।

डा० राम मनोहर लोहिया : अध्यक्ष महोदय,.....

अध्यक्ष महोदय : इस बारे में बहस नहीं चल सकती है ।

डा० राम मनोहर लोहिया : अध्यक्ष महोदय, मेरी बात सुन लीजिए ।

अध्यक्ष महोदय मैं ने श्री चौधरी को बुलाया है ।

Shri Tridib Kumar Chaudhuri (Berhampur): The hon. Prime Minister said that she would be prepared to open negotiations with China when the appropriate conditions for such negotiations came about. May I know what are those conditions and whether those conditions are still circumscribed by what are known as the Colombo proposals?

डा० राम मनोहर लोहिया : बुआ जी को बोल लेने दीजिये ।

Shrimati Indira Gandhi: Sir, all that I meant was that we obviously have to look to India's interest first; we will not have talks in any circumstances where our position is compromised in any way.

श्री हुकम चन्द कछवाय (देवास) : अध्यक्ष महोदय, आप का निर्णय है कि हर एक पार्टी से एक एक व्यक्ति को बुलाया जायेगा। आप ने एक दल के दो व्यक्तियों को बुलाया है, लेकिन हमें नहीं बुलाया है।

अध्यक्ष महोदय : क्या श्री बड़े आप की पार्टी के नहीं हैं ?

श्री हुकम चन्द कछवाय: श्री यशपाल सिंह ने भी सवाल पूछा है और डा० लोहिया ने भी पूछा है। ये दोनों एक ही दल के व्यक्ति हैं।

अध्यक्ष महोदय : श्री यशपाल सिंह बिल्कुल अलाहिदा व्यक्ति हैं।

श्री हुकम चन्द कछवाय : अध्यक्ष महोदय, आप ऐसा कह कर इसको टाल नहीं सकते हैं।

12.44 hrs.

STATEMENT RE: CIRCUMSTANCES OF SHRI LAL BAHADUR SHASTRI'S DEATH

The Minister of External Affairs (Shri Swaran Singh): With your permission, Sir, I might lay this copy of the statement on the Table of the House—it is a two-page long statement.

Mr. Speaker: All right.

Shri Swaran Singh: Sir, I beg to lay on the Table a statement on the circumstances under which Shri Lal Bahadur Shastri died.

Some hon. Members: It is an important statement. It may be read.

Mr. Speaker: We have already taken too long. The statement will be circulated among Members and if hon. Members want something on that they can give notice of it.

Shri Hari Vishnu Kamath (Hoshangabad): Sir, I rise on a point of information. You are aware, and the House is aware, that at the time of this tragic event in distant Tashkent, there were press reports which were clear and incomplete. May I know whether the statement includes facts regarding the failure to provide an attendant or a nurse just outside the bed room of the heart patient and, secondly, whether the doctor had an oxygen tube or an oxygen cylinder ready with him. I want to know whether all these things are included in the statement. If they are not included in it, then he should make a supplementary statement.

Mr. Speaker: First the statement might be read. Afterwards, these questions will arise.

Shri Hari Vishnu Kamath: If the statement contains all the information, I have nothing more to say. If it does not contain them, he should make a supplementary statement.

Mr Speaker: First the statement might be read by the Members.

Shri Hari Vishnu Kamath: It should be circulated.

Mr. Speaker: Yes.

Shri Bade *rose*—

Mr. Speaker: Let the Members go through the statement. Then they will know what it contains.

Shri Bade (Khargone): Then, will we be allowed to ask questions?

Mr. Speaker: I will see.

Shri Bhagwat Jha Azad (Bhagalpur): I submit that this statement should be read in the House. We want to know how the late Prime Minister died. It is not an ordinary matter. As it is a very important matter, the statement should be read in the House.

Mr. Speaker: The statement shall be circulated. Then, if it is the desire of hon. Members, I will allow them to ask questions.

Shri Bhagwat Jha Azad: It should be read in the House

श्री हुकम चन्द कछवाय : (देवास) जब सारा हाउस चाहता है कि इस वक्तव्य को पढ़ा जाये, तो फिर आपको क्या आपत्ति है ।

Shri Hari Vishnu Kamath: We will sit half an hour longer to make up for it.

अध्यक्ष महोदय : जब तीन चार माननीय सदस्य एक ही वक्त बोलना शुरू कर दें, तो मैं कैसे समझ सकता हूं कि मैं क्या करूं और क्या न करूं ? मैंने मेम्बर साहबान को बार-बार दरख्वास्त की है कि तीन चार माननीय सदस्य एक ही वक्त बोलना शुरू न कर दें ।

Is it the desire of the House that the statement should be read?

Several hon. Members: Yes.

Mr. Speaker: All right. Let it be read.

Shri Swaran Singh: Sir, the Government would like to take this opportunity of making a statement on the death of Prime Minister Shastri.

2. The late Prime Minister was accommodated in a villa specially provided for his use by the U.S.S.R. Government. With him in the villa were the following members of his personal staff:

(a) Dr. R. N. Chugh—Medical Officer.

(b) Shri R. Kapur—Security-Officer.

(c) Shri J. N. Sahai—Private Secretary.

(d) Shri M. M. N. Sharma—Personal Assistant.

(e) Shri Ram Nath—Personal Attendant.

This villa was about 250 yards from the Intourist Hotel where the other members of the Indian Delegation were lodged. The room adjoining the Prime Minister's suit was allotted to the Medical Officer and the Security Officer. Other members of the party occupied the remaining accommodation in the villa.

3. Apart from the two telephones for internal and international calls fitted in the P.Ms.' suite, there was also a third telephone with a buzzer which could be activated by simply lifting the receiver. This instrument was available for the P.Ms' use to call any member of his personal staff or the doctor in case of need.

4. On 10-1-1966, the late Prime Minister returned to his villa a little after 10 P.M. after attending a Reception given by Mr. Kosygin, Chairman of the USSR Council of Ministers. He retired immediately to his suite and was served dinner there by Shri Ram Nath, his personal attendant at about 10·30 P.M. A little later, the P.M. allowed himself to be photographed by two Indian newsreel cameramen from outside his window. Thereafter, he spoke on the telephone with Delhi to members of his family. At 30 minutes past midnight, the P.M. asked Shri Ram Nath to go and have his food. Shri Ram Nath then put out the lights and went to the adjoining room where he and other members of the staff were attending to the packing of their luggage.

5. At about 1.20 A.M. while P.M's personal staff were packing the baggage for the morning flight (11th January) they saw the late P.M. at the door of their room. The P.M. paused a while and asked for the doctor. Shri Kapur and Shri Sharma hurried forward and escorted the P.M. to his room and Shri Sahai woke up Dr. Chugh who immediately rushed to the P.M.'s room. Dr. Chugh started examining the P.M., and while doing so, he asked Shri Sahai, P.S. to P.M., to call local doctors also. This was done immediately through the Soviet Security Officer on duty. By 1·32 A.M. the P.M. had lost consciousness, the pulse had disappeared, the heart tone could no longer be

[Shri Swaran Singh]

heard, and breathing had stopped. Efforts by Dr. Chugh to revive the P.M. through an intramuscular injection, artificial respiration and massage proved fruitless. The team of Soviet doctors who arrived on the scene within minutes at the personal bidding of Mr. Kosygin were also unable to revive him. In spite of excellent medical facilities, therefore, it was not possible to save the life of the late Prime Minister.

6. A copy of the medical report of Dr. Chugh and the Soviet medical team is laid on the Table of the House. [*Placed in Library. See* No. LT-5449/66].

7. All during his stay in Tashkent the late Prime Minister appeared to be in good health. My colleague, the Defence Minister and I, as well as other members of the Delegation were constantly with him for long periods every day. He was cheerful and relaxed. His daily schedule of work was less strenuous than it was in Delhi, and, at no time did he either complain of being unwell, nor did he, in fact, show any signs of fatigue or strain.

8. The physical arrangements for the late Prime Minister's stay in Tashkent were made in consultation with and under the supervision of our Ambassador in Moscow. Everything that could possibly have been done for the comfort and convenience of the late P. M. was done by the Government of the U.S.S.R.

9. I take this opportunity of reiterating our thanks and appreciation to the Government of the U.S.S.R.

Shri Hari Vishnu Kamath: On a point of clarification now, Sir. My doubts and fears have been completely borne out by the statement read out by the External Affairs Minister. It is completely silent on three matters. Firstly, knowning that he had a serious heart ailment, why was it that no nurse or attendant was kept in attendance, and made to stay on duty all the night either inside the bedroom or just outside on the threshhold of the bedroom; secondly, why was it that, when the entire Soviet team, so efficient and so hardworking, were called, they came with all the equipment necessary for the purpose including the oxygen cylinder and other things, our doctors did not have anything ready on the spot for the purpose; and, lastly, according to the papers, here the late Prime Minister used to be examined medically or had a check-up every other day or so, I am told, during the last few months, why was it that during those ten days in Tashkent there was no medical or physical check-up at all of the Prime Minister? The Minister has stated that the schedule at Tashkent was even less strenuous than in Delhi. I do not know how this is to be believed. These points should be clarified.

Shri U. M. Trivedi (Mandsaur): What surprises me is this—and this is in conflict with the reports that reached us as soon as the late Prime Minister died—that the statement read out by the hon. External Affairs Minister today indicates that it is not that the Prime Minister himself gave any alarm but that the men who were packing up things noticed the Prime Minister at the window.

Shrimati Renu Chakravartty (Barrackpore): No.

Mr. Speaker: The Prime Minister went out.

Shri U. M. Trivedi: That is what I am coming to. The Prime Minister himself came out at 1.20 when they were just packing up their things for proceeding to India on the morning of the 11th. This was the statement, if I remember aright. In this statement there is no indication whether the buzzer was sounded by the late Prime Minister to wake up the officer concerned who was in attendance on him. I would like to have this explanation as to whether the buzzer worked at all or not or whether the alarm was raised or not.

Shri Hari Vishnu Kamath: He himself had to come out.

Shri Bhagwat Jha Azad: When the Government was aware of the heart trouble of the late Prime Minister, I want to know whether Government supplied any medical history to the Soviet Government, the host government, and whether in spite of supplying that no arrangements like keeping oxygen at hand and other things were made.

श्री प्रकाशवीर शास्त्री (बिजनौर) : क्या यह सही है कि स्वर्गीय प्रधान मंत्री श्री लाल बहादुर शास्त्री अपनी ताशकंद यात्रा के दौरान जिस कमरे में सोया करते थे, अंतिम दिन जिस दिन उनका देहावसान हुआ, वह उस कमरे में न थे किसी दूसरे कमरे में उनके सोने की व्यवस्था की गई थी ?

क्या यह भी सही है कि उनका भोजन बनाने के लिए जो रसोइया यहां से गया था केवल वही उनका भोजन बनाने का काम करता था या मास्को स्थित हमारे राजदूत का रसोइया भी जो कि मौलाना आजाद का रसोइया हुआ करता था वह भी उस में सम्मिलित था ?

क्या यह भी सही है कि जिस समय डा० चुग प्रधान मंत्री के शरीर के पास पहुंचे तो उससे पहले ही उनके प्राण निकल चुके थे और डा० चुग ने उनके पास आक्सीजन न होने के कारण अपने मुंह से उनके मुंह में हवा फूंकी और उनके शव के ऊपर ही केवल इंजक्शन लगाये, उस समय इंजक्शन लगाये जबकि उनका शरीर पूरा हो चुका था ?

श्री मधु लिमये (मुंगेर) : एक बात की सफाई नहीं हुई है । क्या शास्त्री जी ने शान्तिपूर्ण ढंग से नींद ले ली थी या वह अस्वस्थ थे ? उसी से उनके मन की उस वक्त जो स्थिति थी उसका पता चल जायेगा । क्या विदेश मंत्री जी के पास इस बात की कोई जानकारी है कि उनके नौकरों ने जब दीया बुझा दिया तो उसके बाद क्या वह आराम से सोये थे या चिंतित थे और उनकी मन स्थिति क्षुब्ध थी ?

Shri S. M. Banerjee (Kanpur): I want to know whether it is a fact that the wife of the late Shastriji, Shrimati Lalita Shastri, said that had she been there she would not have allowed Shastriji to work beyond some hour. That was being observed by Shastriji here. If this was correct, I would like to know why Dr. Chugh, who accompanied Lal Bahadur Shastriji, allowed him to work beyond those hours and whether he examined him every day. This was the third heart attack.

Shri Hem Barua *rose*—

Mr. Speaker: Shri Kamath has already asked questions from Shri Hem Barua's party. I shall allow only one Member from each Party.

Shri Krishnapal Singh (Jalesar): The late Prime Minister was a heart patient. Was he examined after his return from the party which he attended? I think, it was necessary that he should have been examined before he went out to attend conferences and parties and after he returned from there.

श्री रघुनाथ सिंह (वाराणसी) : मैं यह जानना चाहता हूँ कि डिफेंस मिनिस्टर और एक्सटर्नल एफेयर्ज मिनिस्टर साहब लाल बहादुर जी के देहान्त के बाद पहुँचे या पहले पहुँचे थे ?

अध्यक्ष महोदय : मिनिस्टर साहब जवाब दे दें ।

श्री ज० प्र० शर्मा (बक्सर) : मैं एक छोटा सा सवाल पूछना चाहता हूँ । यह कहा गया है कि उनको दरवाजे पर आना

[श्री म० प्र० शर्मा]

पड़ा था । यह भी कहा गया है कि उनके पास इंटरनल टेलीफोन था, आटोमेटिक टेलीफोन था । जब आटोमेटिक टेलीफोन था तो क्या उसको भी एग्जेमिन किया गया है कि वह खराब तो नहीं हो गया था जिस की वजह से उनको दरवाजे पर आना पड़ा ?

Shri Hem Barua (Gauhati): On a point of order, Sir. In my case you said that there could be only one Member from one Party who could ask a question, but here two Members of the Congress Party have put a question each.

Shri Swaran Singh: Shri Kamath has put three questions. I would say that the arrangement had been made for his personal attendant, Shri Ram Nath, to stay in the adjoining room with a buzzer connection which at once was activated as soon as the receiver was lifted and, at the same time, this buzzer also started buzzing in the doctor's room and in his assistant's room. As to whether he slept outside the room, we have seen those rooms. The rooms were cosy and small rooms, not very large-size rooms and whether it is outside the door on the one side or on the other side would not make any difference because it is not like a person sleeping outside the room as the climate there is such that no one could sleep outside.

Shri Hari Vishnu Kamath: Why had he to come out if the buzzer was working?

Shri Swaran Singh: It is a little painful for us who watched that—I and my colleague, Shri Chavan—really to be cross-examined like that. We ourselves were so moved and so anxious to find out that everything had been done or not and we were fully satisfied on that issue.

Shri Hari Vishnu Kamath: You are satisfied, but.....

Shri Swaran Singh: The buzzer, telephone and all that were in absolute working order.

Mr. Speaker: One question that is very pertinent is whether after that it was ascertained that the buzzer was in order and whether the Prime Minister had to come out himself because the buzzer could not work.

13 hrs.

Shri Swaran Singh: It is a very important question. It was tested and it was in working order. It was for the Prime Minister to decide what he did and, knowing as we do his habits, he did not want to trouble people and he probably thought that he would...

श्री रामेश्वरानन्द (करनाल) : अध्यक्ष महोदय, क्या यह जानने का यत्न किया गया कि वह द्वार से बाहर क्यों आये ?

Shri Swaran Singh: ...go out and call somebody rather than use the buzzer. We cannot decide as to why he chose one or the other course. He could do either of the two things. In this case, he did not use the buzzer and he actually came out of the room.

About equipment, it is a technical question and the Doctor and the Health Minister have assured us that all the necessary equipment was available with the Doctor.

About the medical examination, I know it personally that Dr. Chugh used to examine him everyday and very often more than once. I can say that Dr. Chugh, apart from being a very good doctor professionally, was himself very much attached to Shastriji and he was also very careful to be present wherever the Prime Minister went. He always remained somewhere near about him in spite of the fact that Shastriji, on many occasions, insisted that these doctors are much too fussy and that they should not pester him.... (*Interruption*).

Mr. Speaker: Let him answer first.

Shri Swaran Singh: Dr. Chugh did examine him everyday and there was no slackness on his part. As regards Mr. Trivedi's question about the buzber, I have already answered it.

Mr. Bhagwat Jha Azad put the question whether the history of the state of health of Shastriji was communicated to the U.S.S.R. doctors. I may say that our doctor was there and there was also a Soviet doctor who was in charge of that area. I had a personal experience myself. I myself got a little unwell and immediately not only Dr. Chugh but also the other doctor came in a matter of minutes. Dr. Chugh may have himself communicated his requirements I do not know.....

Shri Hari Vishnu Kamath: He says, 'may have.'

Shri Swaran Singh: But Dr. Chugh himself had all the necessary equipment which was necessary to meet an emergency in a case like this.

Another question put by Mr. Prakash Vir Shastri was whether the late Prime Minister slept in a different room than the one which he normally occupied. My reply to this is 'No'. He slept that night in the same room in which he used to sleep normally.

With regard to his kitchen arrangements, there were the Soviet workers also who looked after the arrangements because not only the Prime Minister alone but on several occasions others whom he wanted to invite had to be served. So, there were the arrangements principally organised by the U.S.S.R. Government, and very fine arrangements had been made. To supplement for the special requirements of the Prime Minister and to cater to his special tastes and the simple type of food that he generally preferred, his own personal attendant, Shri Ram Nath, who was his valet, that is, to look after his comfort, also combined in himself the functions of a cook. As to whether he himself cooked the food or he advised others, I cannot say. But whenever we went there, he was there serving and bringing the things. There was also a cook of the Indian Embassy who was sent for because it was considered necessary that there should be an additional help to him. So there were two Indian cooks working in the kitchen besides the Soviet cooks and the Soviet workers.

As to what was the condition of the Prime Minister when Dr. Chugh had arrived at the scene, that is contained in the statement of Dr. Chugh, a copy of which is laid on the Table of the House.

Then, Mr. Madhu Limaye put the question as to whether he slept normally or whether he was worried. I would like to share the information that so far as the Tashkent Declaration is concerned, that had been finalised on the night between 9th and 10th. The Declaration was actually signed on the 10th at 4 P.M. at a ceremony where the leaders, the press people and a large number of other important dignitaries were present. Throughout that day, Shastriji was feeling very relaxed. He had a conversation with me and my colleague Shri Chavan on a number of matters. In fact, it was during these talks that he said that we had very valiantly fought for defending our country and we had to fight equally valiantly for defending peace. That day, I think, he also went to some museum and saw something. The point that I want to place before this House and the country is that throughout that day, on the 10th there was nothing that he was required to attend to or think about in relation to the Tashkent Declaration which had been finalised during the night between 9th and 10th. Others were working on it. For instance, I had to look at the draft to see that it was in accordance with what had been agreed upon. But he himself was very relaxed and he felt happy and there was no pressure of any type on his mind. He was not at all worried. That was the specific question

Shri Maurya (Aligarh): What had he been doing after 4 P.M. on that day?

Shri Swaran Singh: If you put a question, I will answer it. Please do not do it like that. Let me finish my reply. I will answer it. There is nothing that I want to hide. As to what he was doing after signing the Agreement that day, we returned to our place and, I think, my colleague, Shri Chavan actually came in the same car with him. He had nothing particularly to do that afternoon except that he attended a reception which was attended by several people. There were our own press people; there were the Soviet hosts; there were the Pakistani leaders. There was some cultural programme also and all of us who had the honour of being with him at that time watched him and we felt that he was feeling very relaxed. He was having talks with every person, with our press people, with the foreign press people, and also with President Ayub and Prime Minister Kosygin and other Ministers, and also with the Chairman of the Council of Ministers of the Republic of Uzbekistan.

I am mentioning all these things to indicate that there was no pressure of work, there was no weight on his chest and there was no worry to him. He was feeling very relaxed before signing the Agreement and after signing the Agreement. I think, this covers all the points that have been raised.

Shri Maurya: Was he examined between 4 P.M. and 11 P.M.? (*Interruption*).

Mr. Speaker: There is one thing more. The hon. Minister said that our doctor had all the necessary equipment. But the particular question asked was whether he was equipped with oxygen also.

The Minister of Health and Family Planning (Dr. Sushila Nayar): They did have oxygen also.

Shri Raghunath Singh: He has not replied to my question.

Mr. Speaker: They say, they had oxygen also.

Shri Hari Vishnu Kamath: It is a fabrication. I am sorry to say that. No paper said that oxygen was available with our doctor at that time. It is an unabashed fabrication.

डा० राम मनोहर लोहिया : (फर्रुखाबाद) : अध्यक्ष महोदय, आप मेहरबानी करके इस पर ध्यान दीजिये कि विदेश मंत्री जी ने उत्तर नहीं दिया कि शास्त्री जी बिस्तर पर लेट ही सके थे या सो भी सके थे । अगर उन के पास इत्तला नहीं है तो वह कह दें कि हमारे पास इत्तला नहीं है । उन्होंने खाली अनुमान बतलाया कि वह दिन भर जगे थे इसलिये सोये होंगे ।

अध्यक्ष महोदय : क्या इस की भी इन्फार्मेशन कोई है कि वह रात में सो सके थे या उन्होंने कोई शिकायत की . . .

डा० राम मनोहर लोहिया : शिकायत नहीं । मेरा सवाल यह नहीं था ।

Shri Swaran Singh: It is mentioned in the medical report of doctors including Dr. Chugh. It is mentioned there that he went to bed at about 12-30 A.M. (mid-night).

Mr. Speaker: The question is whether he could sleep or not. This is what Dr. Lohia says.

डा० राम मनोहर लोहिया : मेरे सवाल का तो जवाब ही नहीं दिया गया ।

अध्यक्ष महोदय : वह कहते हैं कि उन को पता नहीं है ।

मैं आप से कहूंगा कि इस तरह ठीक नहीं है । जो कुछ जवाब वह दे सकते थे वह दे दिया । अब उसको लिए चले जाना, बहुत ज्यादा खींचना ठीक नहीं है । (व्यवधान)

Shri Raghunath Singh: My question is very simple.

Several hon. Members *rose*—

Mr. Speaker: I have asked the members to sit down. Whosoever speaks now will not go on record. (*Interruption*)*

श्री रघुनाथ सिंह : हमारा सवाल बहुत सिम्पिल है कि डिफेंस मिनिस्टर साहब कब पहुंचे, लाल बहादुर शास्त्री जी के देहान्त के बाद पहुंचे या कब पहुंचे ?

Shri Swaran Singh: We reached there as soon as we received the telephonic message. Both I and my colleague, Shri Chavan, reached the spot immediately. He was absolutely unconscious at that time. The doctors said that they were still working on him. They were doing their best. You should imagine the impact that would have been on our mind rather than putting this type of question (*Interruptions*).

Mr. Speaker: I will request the hon. Members to sit silently.

Mr. D. N. Tiwary:

13.11 hrs.

ELECTION TO COMMITTEE

COMMITTEE ON PUBLIC UNDERTAKINGS

Shri D. N. Tiwary (Gopalganj): I beg to move:

"That the members of this House do proceed to elect in the manner required by sub-rule (3) of Rule 254 read with sub-rule (1) of Rule 312B of the Rules of Procedure and Conduct of Business in Lok Sabha, two members from among themselves to serve as members of the Committee on Public Undertakings for the unexpired term of the Committee, *vice* Shri Panampilli Govinda Menon ceased to be a member of the Committee on his appointment as a Minister and Shri Harish Chandra Mathur resigned from the Committee."

Mr. Speaker: The question is:

"That the members of this House do proceed to elect in the manner required by sub-rule (3) of Rule 254 read with sub-rule (1) of Rule 312B of the Rules of Procedure and Conduct of Business in Lok Sabha, two members from among themselves to serve as members of the Committee on Public Undertakings for the unexpired term of the Committee, *vice* Shri Panampilli Govinda Menon ceased to be a member of the Committee on his appointment as a Minister and Shri Harish Chandra Mathur resigned from the Committee."

The motion was adopted.

13.13 hrs.

PATENTS BILL.

EXTENSION OF TIME FOR PRESENTATION OF REPORT OF JOINT COMMITTEE

Shri Krishnamoorthy Rao (Shimoga): I beg to move:

"That the time appointed for the presentation of the Report of the Joint Committee on the Bill to amend and consolidate the law relating to patents, be extended upto the first day of the second week of the next session."

Mr. Speaker: The question is:

"That the time appointed for the presentation of the Report of the Joint Committee on the Bill to amend and consolidate the law relating to patents, be extended upto the first day of the second week of the next session."

The motion was adopted.

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*Not recorded.

13.13½ hrs.

BUSINESS ADVISORY COMMITTEE

FORTY-THIRD REPORT

The Minister of Parliamentary Affairs and Communications (Shri Satya Narayan Sinha): I beg to move:

"That this House agrees with the Forty-third Report of the Business Advisory Committee presented to the House on the 15th February, 1966."

Mr. Speaker: The question is:

"That this House agrees with the Forty-third Report of the Business Advisory Committee presented to the House on the 15th February, 1966."

The motion was adopted.

13.14 hrs.

INDIAN TARIFF (AMENDMENT) BILL*

The Minister of Commerce (Shri Manubhai Shah): I beg to move for leave to introduce a Bill further to amend the Indian Tariff Act, 1934.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Indian Tariff Act, 1934."

The motion was adopted.

Shri Manubhai Shah: I introduce† the Bill.

13.14½ hrs.

STATEMENT *RE.* INDIAN TARIFF (AMENDMENT) ORDINANCES

The Minister of Commerce (Shri Manubhai Shah): I beg to lay on the Table a copy of the explanatory statement giving reasons for immediate legislation by (1) The Indian Tariff (Amendment) Ordinance, 1966, and (2) The Indian Tariff (Amendment) Ordinance, 1966, as required under rule 71(1) of the Rules of Procedure and Conduct of Business in Lok Sabha.

13.15 hrs.

MOTION *RE.* TASHKENT DECLARATION

The Minister of External Affairs (Shri Swaran Singh): I beg to move:

"That the Tashkent Declaration be taken into consideration."

Shri U. M. Trivedi (Mandsaur): I would like to rise on a point of order whether this motion is in order.

Mr. Speaker: Only after I have placed the motion before the House, can anything be moved.

Shri Swaran Singh: I must confess that I might have been able to give a little longer statement at this stage, but the insistence on the part of the hon. members to ask questions about the tragic circumstances under which we lost our Prime Minister has brought vividly back to my mind—and I am sure to the mind of my colleague, Shri Chavan, also—the very painful and touching atmosphere when we heard in our own hotel about the sudden illness of our late Prime Minister.

Sir, after this lapse of time and perhaps in an atmosphere which is different, we can look back with perhaps a little critical eye and with a certain objectivity. But we would not be human beings if it were expected that we would be able to face all that with the fortitude that is normally expected from us.

About the Tashkent Declaration, the Prime Minister was good enough to make a statement and a copy of that has been laid on the Table of the House yesterday. A copy of the

*Published in Gazette of India extraordinary, Part II, Section II, dated 16-2-1966.

†Introduced with the recommendation of the President.

Tashkent Declaration has also been laid on the Table of the House. A brief statement has also been made giving the salient features of the Tashkent Declaration and some information about the follow-up action that has already been initiated and also accomplished between the two countries, India and Pakistan. I will not repeat what is contained in that statement. I would, at this stage, draw attention to only some of the important aspects of the Tashkent Declaration.

Mr. Speaker, Sir, the circumstances and the back-ground in which the two Heads of Governments of India and Pakistan, Shri Lal Bahadur Shastri and President Ayub Khan, met in Tashkent are well known. The late Prime Minister, Shri Lal Bahadur Shastri, before the House adjourned on the last occasion, himself made a statement about his intention to go to Tashkent and several hon. members belonging to different parties and different groups made some observations on that occasion. He responded to the suggestion made by the Chairman of the Council of Ministers of U.S.S.R. to go to Tashkent and he agreed to have discussions with President Ayub Khan, so that the relations between the two neighbouring countries, India and Pakistan, might improve. It is not for me to take any time on the description of those relations. I can say that, ever since Partition, in spite of our best efforts at the governmental level and even at non-governmental level, the relations between the two countries, India and Pakistan, continued to be highly strained and this culminated in a clash of armed forces. India faced the aggression and India valiantly fought to maintain the integrity and sovereignty of the country. Our thought first of all goes, when we talk of this conflict, to the valiant soldiers, airmen and members of the security forces, police and others, who fought so bravely to maintain the honour and dignity of our country and to repel the aggression. The spontaneous co-operation offered by the civilian population in actual sustenance of the efforts which had been made by the armed forces and also the psychological impression and feeling of cohesion, of unity, that was created in the country will always remain as the most heart-warming experiences of all of us.

At this stage, it is not my intention to go into the details thereof. When we went to Tashkent, the cease-fire which had been agreed upon by Pakistan and India was very uneasy; there were violations almost every day, and tens or dozens of these violations sometimes took place in the different sectors in which the two Armies were confronting each other. If my memory helps me aright, we have already lodged protests against something like 1600 or 1700 violations of the cease-fire, before the UN Observers; and there were shootings sometimes by civilians and sometimes by Army men. This was the state of affairs even after a formal declaration by the two Governments that they had accepted the cease-fire in response to the resolution and the appeals issued by the Security Council and the Secretary-General of the United Nations.

There was no agreement and there was not even a purposeful discussion about the withdrawal of armed personnel. The two Armies were interlocked. I myself had occasion to go to some of the forward areas, as I am sure many hon. Members of this House must have done; we had soldiers on either side in trenches and the like; facing each other in the fields with desolation all round, and everyone in the grip of tension. This was the state of affairs when we went to Tashkent.

Before going to Tashkent, Prime Minister Lal Bahadur Shastri had taken this august House and the country into confidence about his way of thinking. On the political question, namely about Jammu and Kashmir, he had made a very clear statement in the House and outside that this is an integral part of India, and the sovereignty of

[Shri Swaran Singh]

Jammu and Kashmir is not negotiable. He said that this is our stand on Jammu and Kashmir. I can say without the least hesitation, and with great sense of pride, that he stuck steadfast to this position all through these talks in Tashkent, and he did not budge an inch from that stand. He had said when he would go there, if the other side said anything about Kashmir or suggested that this was the Pakistan attitude about Kashmir, he would not run away from that meeting or conference, nor would he say that he was going to shut his ears to that; but he said in his own inimitable way that when any such question was raised, he would reiterate the Indian position in unmistakable terms. This was the promise which he redeemed throughout these talks, and this is reflected in the Declaration itself. In the Declaration itself it is clearly mentioned that each side reiterated its position on the question of Jammu and Kashmir. Therefore, there is no doubt that this position was very clearly reiterated.

It is true that Pakistan did not accept our position just as we do not accept their attitude on this, and if I may say so, there was agreement to disagree. This was not left to chance or speculation but was mentioned in the Declaration itself that each side reiterated its respective stand on the question of Jammu and Kashmir.

Shri Tyagi (Dehra Dun): What were their views?

Shri Swaran Singh: On the question of restoration of peace, which was the main objective before Shri Lal Bahadur Shastri when he went there, and about which he made no secret, he very patiently, very gently, but very firmly pursued that line from the very beginning of these talks.

I was glancing through the very clear statement that he had made in the plenery session when this conference opened. As the House is no doubt aware, the conference opened at Tashkent in the presence of Mr. Kosygin, Chairman of the Council of Ministers of the USSR with his other distinguished colleagues, President Ayub Khan with his Ministers and other senior members of his delegation, and we were also present at that time. It is very important to note that in the very initial stages, Prime Minister Lal Bahadur Shastri clearly spelt out the objectives that were before him when he entered these talks and discussions.

I would like to remind the House about one or two significant passages in the opening speech of Shri Lal Bahadur Shastri. I am referring to this only to show that what he said in the initial stages he really achieved towards the end when the Tashkent Declaration was actually finalised, and some of the ideas which he had projected in the initial stages were actually embodied in one form or the other in the final Declaration itself. I shall not take long over this, and I shall read out only the most important parts of his speech.

One of the things that Shri Lal Bahadur Shastri said in his statement on January 4th, at plenary session was this:

> "I know there are many unresolved differences between our two countries. Even between countries with the best of relationship there are differences and even disputes. The question which we have both to face is whether we should think of force as a method of solving them or whether we should decide and declare that force will never be used. If other countries, even those with vast resources and much deeper differences, can avoid an armed conflict and live together on the basis of peaceful coexistence, should not countries like India and Pakistan whose main problem is the economic betterment of their people give

up the idea of solving any problems by recourse to arms?".

I shall not read out the subsequent parts, though they are important, but I shall refer to one other part, which was as follows:

"The foundation of good neighbourly relationship should be, as I have said, the acceptance of the policy of peaceful coexistence. In pursuance of this, action will have to be taken on several fronts.".

He even enumerated those fronts. He said:

"For instance, the atmosphere of cold war has to be removed. If through propaganda in the press or by radio, a feeling of animosity or distrust is generated and sustained between the two countries, whatever we as heads of two Governments might say, there will always exist the danger of a conflict. Our aim should be to improve the totality of the relationship between the two countries. Our trade has been shrinking; it should grow instead. Many rivers flow between India and Pakistan; instead of being a source of controversy, they could through co-opeative endeavour enrich both our countries. There are many other areas of economic co-operation which given goodwill and understanding can be developed to our mutual advantage.".

I am referring to this in order to show that when Shri Lal Bahadur Shastri went, the immediate objective before him was that of reversing the trend that unfortunately bedevilled the relations between India and Pakistan. Not only was he conscious that without reversing this trend, good relations and good neighbourly relations would not develop and would not be strengthened between the two countries, but he had a positive picture before him of developing and strengthening the economic relations so that the normal relations between the two countries should develop and prosper and get strengthened.

When he said that, immediately thereafter, being a great realist, he had said:

"In saying all this, I am not trying to suggest that we could shut our eyes to the many points of difference that exist between the two countries. I do not want to enumerate them. But what I do say, however, is that all these problems must be resolved through talks and negotiations and not by resort to force. An armed conflict creates more problems than it solves. It is an impediment to understanding and agreement. On the other hand, in an atmosphere of peace, we can make real progress towards solving the differences between us.".

I am sorry I quoted at length, but I could not find better words really in support of the basic philosophy behind the Tashkent agreement than the words of our late Prime Minister Shri Lal Bahadur Shastri. These words he did not utter after the finalisation of the agreement, but they were something prophetic in the opening address that he made. All the essential ingredients of the Tashkent Declaration are embodied in these sentiments which were so vividly and so touchingly expressed by Shri Lal Bahadur Shastri in his opening speech.

If this Tashkent Declaration is examined against that background, I am sure that every section of this hon. House and I hope our countrymen at large—will be convinced that Shri Lal Bahadur Shastri went to Tashkent with certain clear objectives before him; and we are very happy and very proud, in retrospect, to recall that he succeeded in a very large measure in reversing the trends that existed between the two countries and in generating an atmosphere of peace and in stabilising peace between our two countries. I am a realist enough, having been involved in these Indo-Pakistan problems ever since partition took place and Pakistan was

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created as a separate country; I myself had to deal with various problems, very painful problems, even when I was in Punjab, the huge problems that were created by migration of people, division of assets and the like and all the tensions that got built up. It is very easy for people sitting and taking a very theoretical view and trying to scrutinise each and every word and attempting to point out that an 'i' could be dotted or a 't' could be crossed, but it is easily forgotten that if the objective to be achieved is the reversal of the unfortunate trends, that has to be done on a somewhat reciprocal basis. It was also his objective, which he did not at any time hide, that 'while sticking to my basic stand, while sticking to the realisation of the basic objective, I am flexible enough to see the viewpoint of the other party also', because he was not a person who would like to adopt an attitude where at the end he could say, 'I have turned down all the points that were suggested by the other side and so I have achieved all that I wanted to'. That was not the spirit in which he entered these discussions.

I am mentioning this because it is very easy to criticise these things. If I alone were the author of that document, if only an Indian representative had had to draft this Declaration, its language could be different, its content could perhaps be stronger. But let us always remember that this was a document which was evolved as a result of very elaborate discussion, and the attitude on our side—I will be quite frank in saying that—was not to take a rigid stand. We were fully aware—I and my colleague, Shri Chavan, who were assisting our late Prime Minister, Shri Lal Bahadur Shastri, assisted by our advisers—we were always conscious of, and kept before us, the basic objective. Sticking to our basic objective, we did not want to take such a rigid attitude that no option was left to the other side except to say 'no'. Also, we were anxious to achieve a solution which should be broadly acceptable not only to the two Governments or the heads of government but to the people of India and to the people of Pakistan.

Therefore, I would beg of this hon. House to scrutinise this agreement against that background also. It is not a document of which I alone am the author. It is a compromise document. You may find that there are adjustments at several occasions, adjustments which we very carefully scrutinised to meet the viewpoint of the other side. Our objective was. . .

श्री रामेश्वरानन्द (करनाल) : आप कहीं भी चले जाइये, आप को पता चल जायेगा कि भारतीय जनता इस से सहमत नहीं है ।

श्री स्वर्ण सिंह : यह ज़रा पेंचदार बात है । स्वामी जी इस को समझने की कोशिश करें ।

श्री रामेश्वरानन्द : आप ने सुरक्षा परिषद् के कहने से नहीं माना और वहां जा कर मान लिया । इस पेंचदार बात को आप नहीं समझते ।

Shri Swaran Singh: I did not yield.

अध्यक्ष महोदय: यह कोई कायदा नहीं है कि इस तरह बीच में बोला जाये । जब स्वामी जी की बारी आये, तो वह अपनी बात कहें ।

श्री रामेश्वरानन्द: इस तरह से जनता का नाम लेना उचित नहीं है ।

Shri Swaran Singh: I was submitting that there are portions in this document which can be regarded as compromise proposals or proposals which are the result of a compromise between two different viewpoints. In fact, I am happy that we were able to achieve this agreement in which either side, when they could go back

to their country, could project to their own people that this is something in which there is no defeat for any party, but there is this gain because both sides have gained peace. Our efforts, on both sides, have to be directed to stabilise and strengthen that peace and to give real content to that concept of peace which is the king-pin of the Tashkent Declaration.

Having said that, I would now like to mention some of the points which have been worrying certain hon. Members of this House and even people outside. Before doing that, I would very humbly urge, and very earnestly appeal, to, all sections of the House and my countrymen at large not to view this as a party issue. This is a national issue and we have to look to the interests of the country as a whole, to the interests of the people as a whole. I would appeal to hon. Members not to make political capital of it but to view it as an issue which concerns all of us.

Shri Maurya (Aligarh): That is your job; making political capital is your job. Say boldly that you want partition.

Shri Swaran Singh: One of the points of criticism in the statements of some hon. Members, in the press and elsewhere, is about the withdrawals. On this, I would not like to say much. I would only draw attention of the House to the stand that the late Prime Minister, Shri Lal Bahadur Shastri, had taken when he was approached by the UN Secretary-General for a cease-fire and for withdrawals. In response to that, Shri Lal Bahadur Shastri in his letter to the UN Secretary-General of 14 September 1965 had stated this—a copy of this letter has already been placed on the Table of the House and Shri Lal Bahadur Shastri also made a statement here—

> "Let me make it perfectly clear, Mr. Secretary-General, that when consequent upon the cease-fire becoming effective further details are considered, we shall not agree to any disposition which will leave the door open for further infiltrations or prevent us from dealing with the infiltrations that have taken place".

This was the criterion that he had enunciated. This he had repeated in different forms in the House, in the other place and also in his statements to the press. We have to examine whether the Tashkent Declaration, judged in the light of these statements answers some of the doubts that have been raised.

May be, these doubts have been raised about the wisdom or propriety of the withdrawals of the armed forces without appreciating various aspects. In this connection, without going into details, I would mention three salient points. In the Tashkent Declaration there is the agreement signed by the two heads of government that they will not have recourse to the use of force for settlement of any dispute between the two countries. Secondly, they have agreed that there will be non-interference in the internal affairs of each other. Thirdly, that in the Jammu and Kashmir State ceasefire terms on the ceasefire line will be observed. Now, if these three conditions are faithfully carried out by each side, the basic condition that Shri Lal Bahadur Shastri had made when he wrote to the Secretary-General, and which he repeated in different forms in the House and outside, is satisfied. I claim that these three conditions fully answer any doubt that may arise in the mind of any hon. Member here.

Shri Mauriya: What about infiltrators?

Shri Swaran Singh: Sending of infiltrators, armed infiltrators, as was done by Pakistan and under their inspiration and guidance, when they sent people in this manner into the

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State of Jammu and Kashmir, that was obviously use of force. What else is use of force if sending of armed infiltrators into another territory is not use of force? This is obviously use of force.

श्री हुकम चन्द कछवाय : संख्या सही है । संख्या गलत नहीं है ।

Mr. Speaker: Let him finish his speech.

Shri Swaran Singh: Observance of the cease-fire terms on the cease-fire line is another important thing. Then non-interference in internal affairs. I am conscious, I know that some of the doubts that have been raised in the minds of the hon. Members and other persons with the best of intentions—I do not say anything against any individual—may be due to some of the interpretations which have been put in an onesided manner by commentators or sometimes even by public men, even Ministers of Pakistan, but it will be a very unsatisfactory state of affairs if we are deflected from an objective interpretation of something which is in writing, and if we get excited about the onesided interpretation that might be put on any provision on the other side. The obvious course that is open to us at that time is to state clearly that their interpretation is incorrect, and this we have taken care to clarify on various occasions. That is why I am saying that our interpretation, which is borne out by the text and by the back-ground and by the circumstances, is quite clear and quite unambiguous that these three conditions definitely take care of infiltrators. I would like to add one thing more.

श्री हुकम चन्द कछवाय : पाकिस्तान ने क्या गारंटी दी है कि वह इनफिल्टेटर्ज नहीं भेजेगा ?

Shri Swaran Singh: I was saying that the three conditions that are embodied in the declaration provide fully the necessary guarantees, the necessary agreement, and this definitely covers the infiltrators.

I would like to remind the hon. House that even Pakistan does not claim that they have the right to send infiltrators. They have never owned any responsibility for the infiltrators. We have always tried to pin down the responsibility on them. It is something which is not even claimed by them that by this agreement they have the right to send infiltrators. So, why should we say something which is not even suggested or claimed by them? It is quite obvious that non-use of force, observance of the cease-fire terms, non-interference in internal affairs, these three are very important points, and this is the real basis for our interpretation, which is fully borne out by the background and the circumstances, that infiltrators are covered.

About withdrawals, the occupation of Kargil, Haji Pir and Tithwal, as was stated by my colleague, Shri Chavan in the House and also by Shri Lal Bahadur Shastri on several occasions, was necessitated by the military situation that faced us. Here were these large number of armed infiltrators coming in. We approached Pakistan that they should own responsibility and withdraw them. They did neither of the two. We had, therefore, to defend our territory, and to prevent infiltration we moved to these places. We went to Kargil because we had to protect our lines of communication to the Ladakh area. All those actions had been taken with the object of safeguarding our integrity, safeguarding our sovereignty over these areas, and therefore, after these three conditions have been agreed upon—that cease-fire terms on the cease-fire line will be observed; non-use of force, which, I have said, covers infiltrators; and non-interference in internal affairs—our continuance in these areas was a question about which we did not take a decision lightly. We were faced with this position. *Interruptions*).

अध्यक्ष महोदय : यह कोई कायदा नहीं है कि इस तरह से इंटरप्ट करते आप चले जायें । आपकी भी बारी आएगी और तब आप क्रिटिसाइज कर सकते हैं ।

श्री हुकम चन्द कछवाय : और घुस रहे हैं । जो पहले से पाकिस्तानी घुसे हुए हैं क्या वे चले गये हैं ?

अध्यक्ष महोदय : आप क्या चाहते हैं कि मिनिस्टर साहब स्टेटमेंट अपना न करें ? यह कोई कायदा नहीं है कि आप दर्म्यान में बराबर बोलते चले जायें ।

श्री बड़े (खारगोन) इसका कारण यह है कि .....

अध्यक्ष महोदय : कारण कुछ भी हो, जब आपकी बारी आए तब आप जो कहना चाहें कह सकते हैं ।

श्री बड़े : देश की मन: स्थिति को तो देखना चाहिये ।

अध्यक्ष महोदय : देश की मन: स्थिति आप नहीं बतायेंगे तो कौन बतायेगा । आप किस लिए हैं ? यह नहीं हो सकता है कि आप साथ साथ कमेंट करते चले जायें । आपका क्या मतलब है कि मिनिस्टर साहब वही कहें जो आप चाहते हैं और उनका केस जो है वह हाउस के सामने आए ही नहीं ? आपकी जब बारी आए तो जितना आप क्रिटिसाइज करना चाहें कर सकते हैं ।

श्री मौर्य : मुझे गम्भीर एतराज आपके ऊपर है ।

अध्यक्ष महोदय : आप बैठ जाइये ।

श्री मौर्य : मैं बैठ जाता हूं । लेकिन आपके ऊपर मुझे गम्भीर एतराज है ।

अध्यक्ष महोदय : बेशक हो, आप बैठ जाइये ।

श्री राम सहाय पाण्डेय (मना) : इन्होंने कहा है कि इनको आप पर गम्भीर एतराज है .....

अध्यक्ष महोदय : वह तो रहेगा । आप कैसे दूर कर सकेंगे ?

श्री राम सहाय पाण्डेय : इसको रिकार्ड से एक्सपंज कर देना चाहिये ।

Shri Swaran Singh: I promise I will listen with the greatest respect to the very learned speeches and very forceful speeches that Shri Bade and his colleagues will make, and I would only expect that he will be good enough to show me the courtesy of at any rate being able to put across my viewpoint. I know that he does not agree, he may not agree. It will be my endeavour to persuade him to agree to this viewpoint. At the end, even two countries which had fought agreed to disagree. Let us also at least agree to disagree.

I would like to say that I will be able to give all the information which the Swamiji or any other Member may want. When in their speeches they make their statements, I shall endeavour to answer them. At this stage I would say both withdrawal and the question of infiltrators are linked with the three conditions, the three important decisions that had been agreed upon between the two Governments, and this explains the withdrawal.

We were in Haji Pir, we were in Kargil, we were in Tithwal, We were also in the Lahore and Sialkot sector, and Pakistan was in the Chamb sector; they were also in Amritsar District in the Khemkaran area and they were also in certain parts in Rajasthan So, the question that was before my colleague Shri Chavan and myself was this. Shri Chavan gave a great deal of consideration to the military aspect, and all of us had to take a decision as to whether there will be

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justification for us to continue to stay in Haji Pir, in Tithwal and in Kargil and to face also the situation that Pakistan continues to stay in Chamb and in Khemkaran and Rajasthan, and we continue to stay in the Sialkot and Lahore sectors after these three conditions had been agreed upon. I may make it clear, and I am sure that any person who dispassionately examines the situation will agree with me, that after these three conditions are fulfilled, it does not stand to reason that this military confrontation between the two countries should continue, that our soldiers should continue to lie in the trenches and in the fields facing each other at a distance of 50 to 100 yards, with sniping going on all the time, with cease-fire violation, and killings going on, with civilians on either side in the grip of tension and the 600 million people of India and Pakistan always under this tension. I would most earnestly appeal to the hon. Members to view in that background. We were fully convinced that after these agreements we must accept this disengagement and must withdraw. It was in pursuance of this very careful examination that Shri Lal Bahadur Shastri came to the conclusion that if, notwithstanding the agreement on these three issues, we continue confrontation we would not be acting in the best interests of the people of India and Pakistan and we would also be creating the impression all over the world that, notwithstanding these reasonable arrangements, these countries were determined to carry on the policy of confrontation and tension. So, we have to view this question of withdrawals in the background of these observations that I have made.

There are other positive features of this agreement. Some people say that this might affect our military preparedness. That is a subject on which Shri Chavan with his intimate knowledge and the way he has handled our defences at a very crucial and difficult moment is more qualified to give any further detail. He had applied his mind very carefully and he and his advisers were of the view that far from affecting our defence preparedness any lessenning of tension in one area obviously adds to the defence potential. There is an arrangement here that there will be various meetings at Ministers' level and official level so that this polarisation, this unfortunate cutting of all lines of communication that has taken place as a result of the conflict and the mounting tensions—these should disappear. People at various levels and directly concerned with all aspects of governmental and public life should meet each other and try to resolve the problems that require to be solved, for the two countries have to live in good neighbourly relations. The Tashkent Declaration can broadly be divided into two parts. The first part that I have touched upon gave a great deal of attention to undoing the many complications that had arisen as result of the conflict. Diplomatic relations had virtually, though not formally, been snapped; the missions were not functioning; there was no communication between the two; overflights were not there. A number of other things had happened. There were internees and prisoners on either side. All these problems that had been thrown up as a result of the armed conflict were sought to be normalised and normal neighbourly relations between two neighbours were sought to be restored. The central philosophy was the insistence on peace. The actions that were taken really follow from that. It is not my intention to go into greater detail. I have confined myself to certain broad aspects and a broad approach and the main structure of the Tashkent Declaration. I want to make it clear that we on our side are determined to implement very faithfully and very conscientiously this agreement which was, if I may say so, the last gift of our late Prime Minister Shastri to our country. He led the country in an admirable manner when our country faced aggression and the honour and

dignity of the country was raised by the heroic manner in which we dedefended our country under his leadership. I am sure that the part of peace is really our normal way of thinking and it is a path which we ourselves have asked other countries to follow because we genuinely believe in the path of peace. The return to the path of peace should be a matter of satisfaction rather than a matter of criticism or concern to any section in our House.

Shri Hari Vishnu Kamath (Hoshangabad): Peace with honour.

Shri Swaran Singh: With these words, I commend my motion to the House.

Mr. Speaker: I shall place the motion before the House: Motion moved:

"That the Tashkent Declaration be taken into consideration".

Shri Trivedi wanted to raise some constitutional point.

Shri U. M. Trivedi: Sir, on a point of order. I do not want to offer my comments on the biased statement that had been made by the hon. Minister; I will steer clear of that. This Resolution has now been moved and is going to be discussed as an ordinary motion before this House. If it is carried by a bare majority.... (*Interruptions.*)

Mr. Speaker: Some one on behalf of the Government may have to reply if there is a constitutional question. So, the Law Minister may be asked to come.

The Minister of State in the Department of Parliamentary Affairs and Communications (Shri Jaganatha Rao): I am here.. ..(*Interruptions.*)

Mr. Speaker: It is not my job. Let them make any arrangement.

Shri Hari Vishnu Kamath: Let them stew in their own juice.

Shri U. M. Trivedi: Knowing the procedure of this House, this motion can be carried even by an absolute majority of even one. The point involved in this motion as has been conceded by the Minister is that we are going to give up our hold on Kargil, Tithwal and Haji Pir areas of the State of Jammu and Kashmir. The sovereignty over this area—not that it was under our control—was our always. We have declared from housetops that the Jammu and Kashmir State is an integral part of India. It has been an integral part of India as defined in article 1 of our constitution and also as defined in Schedule I pertaining to that ... icle. According to the political map supplied to all of us by the Surveyor General of India, the whole of Jammu and Kashmir State is shown as part of India. We have been able to recover parts of that State, and areas which were lost have been recovered by us. Now, we want to give up that territory. I am not challenging the authority of this House or the authority of the Constitution to so amend the Constitutional provisions to give up these areas if they like it. We did this on a previous occasion. We wanted to give the territory known as Berubari but we had to make an amendment of the Constitution: the 9th amendment to the Constitution had to be brought before this House and pursuant to that the schedule was amended. My point is that when any territory which belongs to the Union of India has got to be given, it can only be given in that way as has been opined by civil reference No. 1 of 1959 to the Supreme Court. It can be given if a law relatable to article 368 of the Constitution is brought before the House and the amendment of the Constitution takes place. It is pursuant to that that the 9th amendment came up before the House. It has been stated unequivocally by the hon. Minister who has moved this motion that he wanted to give up possession of Kargil, Hajipir and Tithwal area. I do not want to look at it politically now because I am raising a point of order about this motion.

14 hrs.

The impropriety and the political outlook of it are not before me.

[Shri U. M. Trivedi]

Therefore what I am submitting is based upon the position, namely, if we have to give up these territories, whether this resolution is the proper mode of giving up these territories, whether this resolution is enough and whether the resolution in terms of article 368 of the Constitution is called for. I say this because the provision under article 368 is that such a resolution could only be passed by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting. I therefore move that this resolution is out of order.

Dr. L. M. Singhvi (Jodhpur): I am glad that this question has been raised at this stage. It is evident that article 1 of the Constitution defines the territories of India and that this article can be amended only by a constitutional amendment. The juristic conception of the Indian Union includes the territory of India as defined in article 1 read with the First Schedule.

Sir, I would like to cite article 1, sub-clause (3) in particular, which says:

> "The territory of India shall comcomprise—
>
> (a) the territories of the States;
>
> (b) the Union territories specified in the First Schedule; and
>
> (c) such other territories as may be acquired".

Now, the territories of the States include, according to entry 15 in the First Schedule of the Constitution, the Indian State of Jammu and Kashmir before the commencement of the Constitution. We have claimed time and again that the Indian State of Jammu and Kashmir which acceded to India comprises the territory of the former princely Indian State of Jammu and Kashmir. It is on this ground that we have claimed in the United Nations under the UN resolution of 1948 that Pakistan must first vacate the territory occupied by them and belonging to the former princely State of Jammu and Kashmir which is in their illegal occupation. It is on this very ground that the Government of India alleged that the transfer of large tracts of Indian territory which formed part of the State of Jammu and Kashmir by Pakistan to China by means of an agreement was an illegality. If it is held or if the Government wishes to take the position that this was not a part of the State of Jammu and Kashmir, then the bottom goes out of the whole of the Indian argument.

But what is more important is the constitutional position which as my hon. friend Shri Trivedi pointed out was made clear by Their Lordships of the Supreme Court in the Berubari reference. I would like to refer to two sentences from the opinion of the Supreme Court in that case. It reads:

> "....it is an essential attribute to sovereignty that a sovereign state can acquire foreign territory and can, in case of necessity, cede a part of its territory in favour of a foreign state, and this can be done in exercise of its treaty-making power....This power, it may be added, is of course subject to limitations which the constitution of the state may either expressly or by necessary implication impose in that behalf; in other words, the question as to how treaties can be made by a sovereign state in regard to a cession of national territory and how treaties when made can be implemented would be governed by the provisions in the constitution of the country".

The motion, as it is before us, is only for consideration of the Tashkent declaration. The Government if it wishes to implement the operative portion of the Tashkent declaration, must therefore necessarily bring about a constitutional amendment to spell out the position and the circumst-

ances under which it is ceding this territory to Pakistan. I therefore move that at the very least either the Government must make a presidential reference to the Supreme Court in this respect or the House should be given the right to hear the Attorney-General on this very important constitutional issue which is of far-reaching significance.

श्री मधु लिमये (मुंगेर) : माननीय सदस्यों ने जो आक्षेप उठाया है उनका मैं समर्थन करता हूं । लेकिन इस वक्त मेरा आपसे निवेदन है कि सदन के सामने प्रस्ताव केवल है "विचार करें" । कई स्थानापन्न प्रस्तावों की भी सूचना दी गई है । तो जो निरनुमोदन करने वाला प्रस्ताव है वह तो संविधान के और नियमों के माफिक होगा लेकिन अगर अनुमोदन करने वाला कोई प्रस्ताव सरकार या सरकारी दल का कोई सदस्य लाना चाहे, संशोधन के रूप में, तो उस वक्त मैं आपसे निवेदन करूंगा कि आपको अपना निर्णय देना होगा कि अनुमोदन करने वाला प्रस्ताव, जिसके अन्दर हमारे ही एक राज्य का इलाका, प्रदेश, दूसरों के हाथ में, विदेशी ताकत के हाथ में देने का सवाल आता है, वह कहां तक संवैधानिक है और उस स्थिति में हम आक्षेप उठायेंगे । आप उस पर अपना निर्णय देंगे ।

Shri Hari Vishnu Kamath: Mr. Speaker, Sir, while I am in agreement with the basic constitutional arguments urged in favour of the ultra vires character of the operative part of the Tashkent declaration, may I invite your attention and the attention of the House to a factual position that was adumbrated by the Home Minister, who fortunately is present in the House now, in answer to a specific question put in the last session. The question was whether, to the liberated—in legal parlance 'recovered'—territories of Haji Pir, Tithwal and Kargil, the laws of the Indian union and the constitutional provisions that have been extended to Kashmir, had been applied—whether those provisions have been applied to these liberated areas as well—and whether the jurisdiction of the Indian union and of the State Government is complete over those areas. The Minister categorically and specifically replied that that was the position; that the laws have been extended and the jurisdiction of the Jammu and Kashmir State and of the Indian union is complete over these areas of Haji Pir, Tithwal and Kargil.

Now, what will be the effect of the withdrawal, or the proposed withdrawal, the Indian withdrawal from these areas? Will it not mean, and would you not agree, that the withdrawal by us, withdrawal of our troops, our jurisdiction, our authority and our power—will it not be tantamount to the cession of our jurisdictions, our sovereignty, to a foreign State who will immediately occupy—they must already preparing to occupy—these areas militarily, the areas of Tithwal, Kargil and Haji Pir? That means to say, the Government has ceded, or the Government propose to ecde without the approval of Parliament as required by article 3 of the Constitution, those areas which are ours, which are India's to a foreign State, that is, Pakistan. Therefore, that part is *ultra vires* of the Constitution.

Shri Daji (Indore): I beg to differ from the points of order raised by some of our hon. Members. Though the position regarding the final cession of territory is not very clear by the opinion of the Supreme Court, cited by my hon. friend Shri Trivedi and also relied upon by my hon. friend Dr. Singhvi, I would like to point out that in their overenthusiasm they are doing a disservice to the nation at the present juncture. What we are now doing is, we are not ceding our sovereignty or seceding our sovereignty over the areas of Haji Pir and the rest. That concept is absolutely absent. Let us not go a step forward and let us not beg the question and play into the hands of Pakistan.—a question which could possibly and

[Shri Daji]

plausibly be subsequently raised by Pakistan. That question of constitutional amendment can come only if the Government comes forward, as in the case of the Berubari cession, for the final cession of the territory occupied by us. What we are now doing is only to withdraw our *de facto* sovereignty and not our *de jure* sovereighty. Constitutional *de facto* control can be withdrawn. As Shri Kamath and Shri Trivedi pointed out, all these years, these territories were under the control of Pakistan and yet we claimed full sovereignty over those territories. Even now we shall continue to claim that sovereignty until final settlement is reached. Therefore, as long as the question of seceding the sovereignty does not arise, the question of constitutional amendment does not arise. (*Interruption*).

Mr. Speaker: Order, order.

Shri Daji: Let the hon. Members bear with me one a constitutional point, which I am making.

Mr. Speaker: That is what I am asking the Members.

Shri Daji: I am requesting them only through you, Sir. So, my submission is, the question of constitutional point of order should be examined dispassionately apart from our predilection on the merits of this issue. When a constitutional point of order is referred to, the lawyer may not like a particular brief, but he has to put the facts of the law and the facts of the case as dispassionately as possible. I cannot project my likes or dislikes into a constitutional argument. What I am submitting is, the Berubari case applies when we secede or cede a territory permanently, including the cession of our sovereignty. Here, we are not ceeding our sovereign right over the territory. We are only coming to an arrangement which existed before a particular date. The arrangement was disturbed, because of the Pakistani aggression. Everyone agrees that before the position was disturbed by Pakistani aggression and our counter-action, though we did not in fact physically possess that territory, the sovereign rights of ours were claimed by us and asserted by us, even without physical possession. Sovereignty can be claimed and exercised without physical possession. This distinction has to be borne in mind and if that is borne in mind, then no constitutional amendment is necessary at this moment.

एक माननीय सदस्य : वे इसे चीन को बाया पाकिस्तान सौंप देना चाहते हैं। वे उसके हाथों में खेल रहे हैं।

Shri Daji: I will not tolerate this kind of aspersion. No member is allowed to cast aspersions on the opinion expressed by another member. My friend just now said that I want to hand over this *via* Pakistan to China. When constitutional points are discussed, I have got the right to express my views and I have exercised that right I resent this aspersion and it should be withdrawn. There can be no cool and calm discussion in Parliament if such aspersions are allowed to be made.

Shri Bade: He said that we are playing into the hands of Pakistan.

Shri Daji: I said it objectively.

Mr. Speaker: Words flung in this careless manner do not help anybody.

Shri H. N. Mukerjee (Calcutta Central): Sir, even though it is not for us to pull the Government's chestnuts out of the fire, I would supplement basically what Mr. Daji had tried to say. In law, the entire State of Jammu and Kashmir is part of the Indian Union, but as a matter of fact, certain areas in Jammu and Kashmir are, according to India, in the illegal occupation of Pakistan or of people acting as proxies on behalf of Pakistan. Our stand has always been to secure a settlement of this matter and to restore to ourselves effective sovereignty which is today nominal

sovereignty over certain areas of Jammu and Kashmir. Pakistan's purpose, on the other hand, has been somewhat different, with the result that last year Pakistan made an effort by armed force, by infiltration as well as by military attack, to consolidate its hold either by proxy or directly on certain parts of Jammu and Kashmir. We repelled that effort of Pakistan.

Two sovereign States—India and Pakistan—met together through their representatives and came to an understanding in relation to what ought to be done about the settlement of outstanding issues, among which necessarily is the question of Jammu and Kashmir. At that meeting, it was decided that Pakistan would not intervene in our affairs and we shall also not intervene in Pakistani affairs and all the outstanding questions would be settled by mutual discussion. We do not know what is going to be decided, but if after mutual discussion to which both countries have agreed, it is decided that certain portions of Jammu and Kashmir may have to be detached—Heaven forbid that kind of thing happening—but suppose it is decided like that, then and then alone would it be time for the government to come before this House with whatever constitutional amendment or legalistic device which might be necessary. At this moment what we are dealing with is to endorse or not to endorse the declaration which has been issued by the government of this country along with the government of Pakistan. Our government has performed a sovereign act. Whether in performing that act, it went against the wishes of the people whom we represent here—that is the question which we are discussing. As Mr. Daji pointed out, at a later stage, this legalistic matter might come up for discussion, but not at this point. We are certainly entitled at this point of time to approve or not to approve of the declaration.

Shri Kapur Singh (Ludhiana): Sir, the core of the question which is being discussed on the floor of the House is the meaning and substance of the concept of sovereignty in international law. I rise to contest the point of view which has been so ably put forward by my friend, Mr. Mukerjee and my other Communist friends. They have argued that by withdrawling our military forces under the circumstances in which we are doing it, we are not ceding sovereignty and that our *de jure* claim of sovereignty still remains intact. I think that is not the correct and true position.

These are the maxims of jurisprudence of international law that sovereignty may be given up in three modes, either by express consent or by intention or by conduct. The essence of sovereignty is our power to go in and come out at our own volition without the permission of anybody. So, if somebody drives us by force out of a territory over which we have sovereignty, our sovereignty is challenged. But if we go out of that territory with the intention of letitng the adversary occupy that territory and in the full knowledge that after that we shall not be able to exercise our fundamental right of going in and coming out at our own volition, it means both by intention and by conduct that we are ceding our sovereignty also. If we go on claiming our *de jure* right of sovereignty still remains intact, we are talking empty words and we are making claims which will have absolutely no validity before the jurists of international law. That is my submission.

Shri Frank Anthony (Nominated—Anglo—Indians): I merely want to put forward the legal perspective. If I get an opportunity to speak, I will probbably support the Tashkent Declaration. But the crucial issue is this. Having resumed sovereign control of our own territory, does not voluntarily abdicating that sovereign control constitute cession? If it is taken by force, it is a different matter. But voluntarily

[Shri Frank Anthony]

abdicating our sovereignty over our own territory, even if we do that temporarily, is not that cession? That is the issue.

श्री प्रकाशवीर शास्त्री (बिजनौर) : मैं पाकिस्तान के कानून मंत्री की एक राय आपको सुनाना चाहता हूं और वह इस दृष्टि से कि जो हमारे मन में सन्देह है उस सन्देह की पृष्ठभूमि क्या है जिस आधार पर कि मैं यह निवेदन कर रहा हूं कि आप सरकार से ताशकन्द समझौते को इस संसद में पेश करने से पहले इस बात का स्पष्टीकरण करावें। वह वक्तव्य बहुत लम्बा इसलिए मैं उसकी केवल तीन पंक्तियां ही पढ़ कर सुनाता हूं। 20 जनवरी को लाहौर में उन्होंने यह वक्तव्य दिया है और जिसे कि लाहौर रेडियो ने ब्राडकास्ट भी किया है। उन्होंने कहा है :—

> "कितना मूर्खतापूर्ण व हास्यास्पद है ? क्या संसार में कोई संवैधानिक यंत्र इस बात को मान सकता है कि कोई सरकार अपने ही देश के एक हिस्से को खाली कर दे ? इसलिए मैं आपको यह विश्वास दिलाता हूं कि ताशकन्द घोषणा अन्ततः काश्मीर पर भारत के दावे के विरुद्ध जायेगी और पाकिस्तान के दावे को मजबूत करेगी।"

इसी पृठभूमि में श्री लाल बहादुर शास्त्री इस सदन में और बाहर भी बार बार इस बात पर बल देते थे कि जो यह हिस्सा हमने ले लिया है वह हमारा अभिन्न अंग जो काश्मीर है उसका एक भाग है और वहां से हटने का कोई प्रश्न नहीं आता। इसलिए आज जब हम वहां से हटने को तैयार हैं और पाकिस्तानी फौजों को आने का मौका देते हैं तो यह संसद की अवहेलना नहीं कर रहे हैं ? बल्कि संविधान की भी अवहेलना इस प्रकार से कर रहे हैं।

The Minister of Law (Shri G. S. Pathak): Sir, I have not had the good fortune of hearing the argument of my learned friend here. But what I have been able to understand is that according to him, withdrawal means cession of the territory. Abdication is not the word for that.

Shri Hari Vishnu Kamath: Cession of sovereignty.

Shri G. S. Pathak: Cession of sovereignty. I hope I have correctly understood.

Shri Hari Vishnu Kamath: More or less, rather less than more.

Shri G. S. Pathak: This expression "more or less" has really given away the whole argument. Either it is cession or it is not cession. It cannot be more or less or both.

श्री मधु लिमये : यह जो उन्होंने "मोर और लैस" के बारे में फरमाया उससे साफ है कि इस तरह से बिना सोचे समझे और सुने अपनी राय देने जा रहे हैं वह उचित नहीं है। यहां पर जो जो वादविवाद हुआ है उस को पहले वह पढ़ें और फिर ठीक तरीके से जवाब दें तो उचित होगा। कामत साहब ने "मोर और लैस" तो मंत्री जी के समझने के बारे में कहा था न कि "सेशन आफ टेरिटरी" के बारे में।

Shri Hari Vishnu Kamath: I said that the minister has understood more or less, rather less than more. (*Interruptions*).

Shri G. S. Pathak: If it is desired by the distinguished Members here that I should study the entire discussion which has been made, I am prepared to do so and make a statement tomorrow. If you want that, I am prepared to do so. Otherwise I will proceed according to what I have

understood from the few words which I have heard today.

Mr. Speaker: Then, probably it would be better if he studies that and then gives us the benefit of his advice tomorrow. We will go on with the discussion on this.

Shri U. M. Trivedi: We can adjourn the House for half-an-hour.

Mr. Speaker: This motion is for consideration only. We can continue with the discussion, and as was suggested by one of the hon. Members when that question of approval or disapproval comes up then this point can be considered.

Shri H. N. Mukerjee: Sir, I want to say something in regard to the procedure. I am really flabbergasted. A question comes up, a point of order is brought up by the leader of one of the recognised parties in this House. There is an array of ministers on the other side, very senior ministers led by the Prime Minister herself, the Home Minister and other Ministers—Shri Chavan had left. They heard the points made. Some of us here, laymen, took part in the discussion and possibly did not make entirely irrelevant remarks. We expect of Government to have the elementary capability to have reservse of membership present in this House to answer points which are raised particularly by way of points of order. It is almost impossible for me to function in this House and take part in the discussion on a motion for consideration of a matter of international importance and of the greatest national impotrance at the same time, when the whole thing hangs fire, when the Damocles' sword of legality is over there and no decision is made. The decision is not made because you are not assited by the representatives of the Government. Ineptitude, Sir, is the word. I have got a bad taste in my mouth over the food debate yesterday, and today a very important international discussion is spoilt by the incapacity of the Government to give its opinion on a legal point. I do not blame the law Minister. He was not here. He was not informed properly about what is on the agenda. The Law Minister is not asked to be here by his leader when this sort of a very important subject is under discussion. We are used in this House to Law Minister after Law Minister never being present when the Government's case in regard to legal points comes up. This has happened again. We are told we shall get the benefit of his advice tomorrow. I refuse to participate in the debate today if the discussion on the motion for consideraion continues when this Damocles' sword of legality hangs over it. This is not a frivolous matter. We are discussing this matter with all earnestness and we want this matter to be decided. You, Sir, are there in the Chair, and you are eminently capable of giving a decision in regard to this matter. If you feel you cannot give it, then, of course, we can adjourn the House and we can have the discussion after the whole matter is decided. Until that is done, I for one would not participate in this discussion.

Mr. Speaker: If a decision is wanted of me, I am ready with it. I do not need the advice of any Law Minister or any Minister at all. But I thought that primarily . . .

Shri Hari Vishnu Kamath: You have warned them so often that they should be present here.

Mr. Speaker: That is a different thing altogether. We know that the Law Minister was not present when the discussion took place (*Interruption*). When Shri Jaganatha Rao said that he would reply, then hon. Members objected and wanted the Law Minister. When the Law Minister has come, objection is taken and it is said that other Ministers could have done it.

Shri H. N. Mukerjee: He should have considered this matter. He is a member of the Government. He has to say whether it is legal or it is not legal.

Shri G. S. Pathak: It was at the desire of some hon. Members here that I should deal with it tomorrow elaborately that I agreed to give my opinion tomorrow. If you want I am ready to give my opinion now (*Interruption*).

Mr. Speaker: I do not think there is any objection to our continuing the discussion. The motion before the House is that this be taken into consideration. We can safely go on with the debate.

Some hon. Members: No, no.

Mr. Speaker: All right. If the hon. Law Minister is prepared to give his opinion now, he may do so.

Dr. L. M. Singhvi: Sir, I submitted specifically that we should call the Attorney-General. This is a constitutional point and we would like to hear his opinion also.

Mr. Speaker: No, no. That is not for me to say. Let us hear the Law Minister now.

Shri G. S. Pathak: Sir, in this agreement there is a word which can be interpreted to amount to cession of the territory. I will read portions of this agreement and I will show to you, Sir, and to the distinguished members here, that there is nothing in this agreement which amounts to cession.

Shri Hari Vishnu Kamath: Cession of sovereignty and jurisdiction?

Shri G. S. Pathak: Yes, yes, cession of sovereignty. I will briefly tell what this agreement amounts to, before I read the portions of it. This agreement proceeds upon the basis that there shall be cease-fire. That is to say, there was once a ceasefire agreement, that cease-fire was accepted by the parties concerned at the relevant time, that cease-fire continued and that cease-fire was violated by Pakistan. The agreement says, restore that cease-fire, do not shoot, agree to suspend the hostilities, agree to suspend the firing and go back to the positions which were occupied earlier. Under the previous arrangement there was a cease-fire agreement which continued and that cease-fire was violated by Pakistan. Pakistan agreed to give up the use of force and threat to use force in order to arrive at an understanding between the parties for the solution of the dispute between them. Therefore, whatever was the subject-matter of discussion still remains to be discussed. Only we go back to the cease-fire line which existed ever since January, 1949. There was a cease-fire agreement then. There was a lined fixed under that cease-fire agreement. All that this agreement says is, go back to that line. This agreement further says that the dispute shall never be decided by the use of force, there shall be settlement of the dispute by peaceful means. That is what the agreement says. Where is the word, where is any word or any expression which indicates that we are ceding territory to the north of the cease-fire line? There is none. This agreement ...

Shri U. M. Trivedi: The difficulty arises—if I may interrupt my hon. friend for a moment—because the Government has asserted in unequivocal language that we are giving up this territory.

श्री हुकम चन्द कछवाय : अध्यक्ष महोदय, समझ में नहीं आता है कि मंत्री जी क्या बोल रहे हैं ।

अध्यक्ष महोदय : मुझे सुन लेने दीजिए।

Shri Surendranath Dwivedy (Kendrapara): Let us adjourn the House for half-an-hour.

Shri G. S. Pathak: I shall deal with it right now.

श्री प्रकाशवीर शास्त्री : हमारी इच्छा यह है कि विधि मंत्री पहले इस सारी चर्चा को पढ़ लें और उस के बाद अपना मत बना कर उत्तर दें, तो वह ज्यादा व्यवहारिक होगा।

श्री हुक्म चन्द कछवाय : जो प्रश्न किये गए हैं, मंत्री महोदय उस के विपरीत बोल रहे हैं।

हाउस को एडजर्न किया जाए एक आध घंटे के लिए। उसके बाद मंत्री महोदय बोलें।

श्री ओंकार लाल बेरवा : (कोटा) पेपर पढ कर आयें।

अध्यक्ष महोदय : अब यह झगड़ा नहीं है कि पेपर पढ़ कर आयें या नहीं। उनको इसलिए बुलाया गया है कि वे राय दें। मैंने अपनी असिस्टेंस के लिए, अपनी हैल्प के लिए इसको चाहा है। लेकिन मैं अब अपना फैसला देता हूं कि कोई भी उनकी राय हो वह दूसरा सवाल है। मैम्बर साहिबान जानते हैं कि हमेशा से जब से यह पार्लिमैंट शुरू है और जब कभी भी यह सवाल उठा है कि कोई चीज कांस्टीट्यूशनल है या उसके बरखिलाफ है और बिलों में भी यह हुआ है कि हमेशा स्पीकर ने अपने जिम्मे यह नहीं लिया है कि वह फैसला दे कि आया कांस्टीट्यूशन के बरखिलाफ वह है या नहीं है। इस हाउस को हक हासिल है कि यह कांस्टीट्यूशनल भी पास करे और अन-कांस्टीट्यूशनल भी पास करें क्योंकि कई चीजों को कंसिडर करने के बाद ही हाउस किसी चीज को पास करता है। हाउस जो फैसला करेगा वह उसके सिर्फ लीगल पार्ट पर ही नहीं करेगा और कई चीजों को इसके साथ वे करेगा। जो आर्गूमेंट्स दी गई हैं इन को भी हाउस कन्सीडर करेगा। और गौर करके ही फैसला देगा कि आया पास करना चाहिये इस हालत में या नहीं करना चाहिये। गवर्नमैंट भी उन आर्गुमेंट्स को देख कर और इस रेजोल्यूशन के पास होने के बाद भी कि आया उसको किसी बिल के लाने की जरूरत है या नहीं है। यह उसको करना होगा। अगर नहीं करेगी तो कोई आदमी कोर्ट में जा सकता है और कोर्ट का फैसला ले सकता है। मैंने देखा है कि अभी कोई गया भी था और शायद उसको उसने वापिस भी ले लिया है। यह हो सकता है कि कल को कोई दूसरा चला जाए। अगर आज स्पीकर फैसला दे किसी कांस्टीट्यूशनल प्वाइंट पर और कल को कोर्ट ने उसको अपसैट कर दिया तो यह एक बड़ी आकवर्ड सी पोजिशन पैदा कर देगा, एक बड़ी आकवर्ड सी पोजिशन पैदा हो जाती है। हाउस ही फैसला दे सारे लीगल और कांस्टीट्यूशनल प्वाइंटस पर और उसको सैट एसाइड कर दे जो सुप्रीम कोर्ट है वह, तो यह हो जाता है कि जो फैसला दिया गया है उस में उसको सैट एसाइड कर दिया गया है लेकिन जब बिल पास करते है तो कई कंसिडेरेसनस् होती हैं। जब सुप्रीम कोर्ट नाकडाउन करती है किसी को तो वह एक साइड को ले कर करती है, कहती है कि इस पर यह बात है कि यह लीगल और कांस्टीट्यूशनल नहीं है और इस वास्ते वह उसको सैट एसाइड कर देती है और कह देती है कि यह अनकांस्टीट्यूशनल है, अल्ट्रा वायरस है या जो भी करार देना चाहती है दे देती है।

कुछ भी राय आए, सारी बहस के बाद भी मझे यही फैसला देना होगा कि मैम्बर साहिबान अपनी कांस्टीट्यूशनल राय जो है वह भी देते चले जायें और जो कहना चाहते है वह भी कहते चले जायें और बाद में हाउस के मैम्बर साहिबान जो हैं वे इस राय को अपने सामने रखें और अपनी राय देते वक्त इस बात का भी खयाल कर लें और पूरी तरह से सोच विचार करने के बाद ही जो उनकी राय हो उसको वह दें, जो चाहें फैसला दें। आगे किसी ने जाना है सुप्रीम कोर्ट के पास तो वह चला जाएगा और सुप्रीम कोर्ट अपना फैसला दे देगी। स्पीकर नहीं देता

[अध्यक्ष महोदय]

कि आया यह जो रेजोल्यूशन इस वक्त हमारे सामने है इससे ऐसे नताइज पैदा होंगे जो कि अनकांस्टीट्यूशनल हैं। यह मेरे करने का काम नहीं है।

Shri U. M. Trivedi: There is a point of inforamtion which I want to give. A point of this nature arose once when the Cow Slaughter Bill was before the House. At that time the Speaker wanted the Attorney-General to give expression to his opinion on this question whether a law of this nature could be made by this House or not. So, on that occasion, the Attorney-General himself appeared before the House and expressed his opinion. Whether we followed that opinion or not is another matter. So, there is nothing to preclude the Speaker from upholding or ruling out a point of order. It is his duty to decide on the point of order one way or the other. I am not going to grumble if he refuses to decide this point of order. That is a different matter altogether. But there is nothing to preclude him from giving a decision on the question whether this point of order is valid or not. It is true that one who is affected by an enactment may go to court. But one who is affected by the passing of this Resolution will not be able to go before any court because no Bill is being passed here now and it is not a law which can be challenged before the Supreme Court or any other court. A resolution cannot be challenged before a court.

Mr. Speaker: If by passing a resolution any provision of the Constitution has been contravened, certainly he has a right to go to the Supreme Court. I do not know how such a distinguished lawyer says like that.

Now I will submit to the hon. Members that my position is very clear in this respect and I have said that. After hearing all the arguments that have been advanced, or might be advanced subsequently, when I have to give my decision I have to come to this conclusion that I cannot take that decision. So, it is no use spending any more time on it. Let us proceed with the discussion. Afterwards, when the decision is to be taken by the House, we will see . . .

Shri Hari Vishnu Kamath: Sir, on a point of order. While I bow to your ruling, may I submit in all humility that it detracts somewhat from the provisions of rule 376 which relates to points of order? My hon. friend, Shri Trivedi, raised a point of order which relates to the Constitution. Sub-rule (1) of rule 376 says:

> "A point of order shall relate to the interpretation or enforcement of these rules or such Articles of the Constitution . . ."

Sub-rule (3) is very categorical. It says, when such a point of order is raised, what should the Speaker do? The Speaker's duty and obligation are very clear on this point. It says "the Speaker shall decide"—so, it is mandatory—"whether the point raised is a point of order and if so give his decision thereon, which shall be final". Now, you have evaded it. I am sorry I have to use the word "evaded". You have evaded the rule and said "the Supreme Court will decide, not I".

Mr. Speaker: The hon. Member has quoted rule 376. It says:

> "A point of order shall relate to the interpretation or enforcement of these rules or such Articles of the Constitution as regulate the business of the House . . ."

Shri Hari Vishnu Kamath: This is the business of the House.

Mr. Speaker: No.

Shri Hari Vishnu Kamath: What else is it?

Mr. Speaker: This point of order may be about some alleged infringement of some article of the Constitution. But it does not relate to "such Articles of the Constitution as regulate the business of the House".

Shri H. N. Mukerjee: May I ask for a clarification? I understand that the Supreme Court is there to see that nothing is done in contravention of the provisions of the Constitution and if such a matter is brought by a citizen of India before the Supreme Court, the Supreme Court will give its decision. But, as far as we here in this House are concerned, it may be that on this occasion you may decide that the matter is of such doubtful character that you cannot take the responsibility of taking a decision in regard to it. That is a different matter. But if in regard to all matters where a point of order is raised on the ground that it contravenes something in the Constitution you say "I have nothing to do with it, go to the Supreme Court if you are aggrieved", where will we be?

Mr. Speaker: I should remind Shri Mukerjee that during all these 18 years that has been done. If he can point out one instance where the Speaker has taken upon himself that responsibility, certainly I will welcome that and I will abide by that. It has been repeatedly held by Shri Mavalankar and Shri Ayyangar, whenever such a question was raised, that they will not take up that responsibility.

Shri H. N. Mukerjee: May I refer to the Beru Bari issue?

Mr. Speaker: That was also a Resolution.

Shri H. N. Mukerjee: On that occasion Shri Ayyangar, I think, decided that it was in order and the discussion proceeded. Then some chaps in West Bengal went to the High Court and got a verdict.

Shri U. M. Trivedi *rose*—

Mr. Speaker: I think we should leave it at that.

Shri U. M. Trivedi: I am sorry . . .

Mr. Speaker: All points have been raised and the Speaker has also given his decision. Now what is the necessity to raise it again and again and argue with me?

Shri U. M. Trivedi: I do not want to raise it.

Mr. Speaker: Then what is it that he wants?

Shri U. M. Trivedi: I want to point out that there is some mistake . . .

Mr. Speaker: If I am mistaken, I am mistaken.

Shri U. M. Trivedi: Rule 376 which you have read . . .

Mr. Speaker: I have read it and interpreted it. If my interpretation is wrong then also . . .

Shri U. M. Trivedi: When we have spent so much time on this, why not bear one minute with me? Article 368 says:

> "An amendment of this Constitution may be initiated only by the introduction of a Bill for the purpose in either House of Parliament, and when the Bill is passed in each House by a majority of the total membership of that House and by a majority of not less than two-thirds of the members of that House present and voting . . .".

This article says that this is the procedure for an amendment of the Constitution, that is, the procedure in

[Shri U. M. Trivedi]

the House of the People, that is, the Lok Sabha, and I have raised a point of order with reference to the procedure of the House. I will bow before your decision but I want to point out that this is with reference to that question.

Shri G. S. Pathak *rose—*

Mr. Speaker: He might intervene in the debate some time and explain the whole thing as he desires.

Now, this motion is before the House. There are some amendments. They will be subject to any objection that might be raised, afterwards. I am just asking whether they are being moved.

Shri Prakash Vir Shastri: Yes.

Mr. Speaker: Shri Venkatasubbaiah. ....He is absent.

श्री सिद्धेश्वर प्रसाद (नालंदा): जी हां।

Shri Surendranath Dwivedi: I move.

Shri U. M. Trivedi: I move.

Mr. Speaker: 6 and 7 also?

Shri U. M. Trivedi: Yes.

Mr. Speaker: Shri Sivamurthi Swamy...He is absent.

Shri K. C. Pant (Naini Tal): Yes, Sir; I move.

Mr. Speaker: That is all, I suppose. All these will be treated as moved.

श्री यशपाल सिंह (कैराना): यह आल आफ ए सडेन आ गया है। मैं ने आज सवेरे भेजा है।

श्री मधु लिमये : मैं ने भी दिया था।

Shri Kapur Singh: They were circulated.

श्री मौर्य : मेरा कहां चला गया वह क्या कहीं नहीं है ?

अध्यक्ष महोदय : मेरे पास जो मोशन आये हैं उन में से लिमये साहब का है, श्री यशपाल सिंह का है और श्री सिंघवी साहब का है। एक और है उस के ऊपर नाम तो श्री वी० पी० मौर्य का है लेकिन नीचे दस्तखत किसी के नहीं हैं।

श्री मौर्य : यही मेरा मोशन है।

अध्यक्ष महोदय: क्या बगैर दस्तखत के भी वह मोशन हो जायेगा ?

श्री मौर्य : मैं ने अपने हाथ से लिखा है अपना नाम।

Mr. Speaker: They will also be treated to have been moved. As regards the time limit . . .

Some hon. Members: Seven hours.

Mr. Speaker: Yes, but there was a condition that it must be finished by 2.30 tomorrow. Therefore, I will request the House to sit up to six o'clock today and then we will make up.

Shri Hari Vishnu Kamath: Tomorrow also up to 3.30.

Shrimati Renu Chakravartty (Barrackpore): There should be no question of pushing off the Private Members' business.

Mr. Speaker: That we will see. As regards the time-limit on speeches, leaders of groups may have 20 minutes and others 10 minutes.

Shri P. K. Deo (Kalahandi): Sir, I am the only speaker from my party.

Shri Kapur Singh: Give him 30 minutes.

Mr. Speaker: I will see what can be allowed.

श्री प्रकाशवीर शास्त्री : मैं प्रस्ताव करता हूं :

कि मूल संकल्प के स्थान पर यह रखा जाये, अर्थात् :

"यह सभा ताशकंद घोषणा पर विचार करने के पश्चात् ताशकंद में किये गये असंवैधानिक तथा अव्यवहारिक भारत पाकिस्तान समझौते का निरनुमोदन करती है।"(1)

Shri Sidheshwar Prasad: I beg to move:

That for the original motion, the following be substituted, namely:—

"This House, having considered the Tashkent Declaration approves of it." (3).

Shri Surendranath Dwivedi: I beg to move:

That for the original motion, the following be substituted, namely:—

"This House, having considered the Tashkent Declaration, while appreciating the efforts made by the late Prime Minister towards normalisation of relations between India and Pakistan, is of opinion that the decision embodied in the Tashkent Declaration to withdraw our armed personnel from the Kargil, Tithwal, Uri-Poonch and Haji Pir areas which are legallly Indian territory is against our national interest and detrimental to our national security and directs the Government not to withdraw from these areas till such time as Pakistan agrees to a no-war pact with India." (4).

Shri U. M. Trivedi: I beg to move:

(i) That for the original motion, the following be substituted, namely:—

"This House having considered the Tashkent Declaration, is of the view that—

(a) the Declaration goes counter to the assurances given by the Government to this House that troops would not be withdrawn from Pakistan territory unless Pakistan categorically committed itself to a no-war pact;

(b) the Declaration militates against the Constitution inasmuch as it involves withdrawal from areas which are constitutionally part of Indian territory;

(c) the Declaration creates in the country a dangerous sense of complacency, and wishful thinking about Pak intentions, not at all warranted by Pak postures as manifested in the speeches by Pak spokesman.

This House, therefore, calls upon the Government to revoke all orders for the withdrawal of troops from Haji Pir, Kargil and Tithwal areas liberated from Pak occupation." (5)

(ii) That for the original motion, the following be substituted, namely:

"This House, having considered the Tashkent Declaration, records its disapproval of the declaration and calls upon the Government to halt immediately the steps being taken towards withdrawal of troops from Haji Pir, Tithwal, Kargil and other liberated areas in Pak occupied Kashmir." (6).

(iii) That for the original motion, the following be substituted, namely:

"This House, having considered the Tashkent Declaration, records that the Declaration

[Shri U. M. Trivedi]

is a gross violation of the solemn assurances given by the Government to Parliament and the people that there would be no withdrawal from the posts of Haji Pir, Tithwal and Kargil until and unless there was a matching commitment by Pakitsan that it would withdraw all its infiltrators in Kashmir and that it would never again attempt to inject infiltrators into Kashmir." (7).

Shri K. C. Pant: I beg to move:

That for the original motion, the following be substituted, namely:—

"That this House having taken into consideration the Tashkent Declaration, approves the stand of the Governemnt of India thereon." (9).

Shri Yashpal Singh: I beg to move:

That for the original motion, the following be substituted, namely:—

"This House, having considered the Tashkent Declaration, is of opinion that Indian forces should not be withdrawn from Haji Pir Pass, Kargil, Tithwal, of the State of Jammu and Kashmir which is an integral part of India". (10).

Shri Madhu Limaye: I beg to move:

That for the original motion, the following be substituted, namely:—

"This House, having considered the Tashkent Declaration, regrets the failure of the Government of India to offer to settle at the Tashkent Summit Conference all differences with Pakistan on the basis of a Confederation of the two States, and disapproves the Tashkent Declaration as it violates the solemn assurances about the withdrawal of Indian Armed Forces from Haji Pir, Uri-Poonch, Tithwal and Kargil without in any way holding out the prospect of an early end to the artificial partition of India into Pakistan and Bharat." (11).

Dr. L. M. Singhvi: I beg to move:

That for the original motion, the following be substituted, namely:—

"This House, having considered the Tashkent Declaration, is of opinion that withdrawal of Indian Armed personnel cannot and should not be effected unless a constitutional amendment of article 1 and the First Schedule is passed. (12).

Shri Maurya: I beg to move:

That for the original motion, the following be substituted namely:—

"This House, having considered the Tashkent of Declaration is of opinion that—

(a) the Declaration is contrary to the assurances given by the Government;

(b) the implementation of Declaration will put India in very critical position.

This House, therefore, calls upon the Government to suspend the implement of the Declaration." (13).

Mr. Speaker: These substitute motions are now before the House.

Shri P. K. Deo: Mr. Speaker, Sir, on the last day of the last session when the late lamented Prime Minister expressed his desire that he would be visiting Tashkent for a meeting with President Ayub at the invitation of the Soviet Premier, Mr. Kosygin, I had the privilege that day to speak on behalf of our party and, while

welcoming the Soviet Premier's effort, I wished all success to the talks.

14.45 hrs.

[MR. DEPUTY-SPEAKER *in the Chair.*]

Though at the initial stage a breakdown of the talks was apprehended, through the untiring efforts of the Soviet Premier, Mr. Kosygin, it ended in a success. It is also due to the statesmanship of the late lamented Shri Shastri and President Ayub and our grateful thanks go to them.

श्री यशपाल सिंह : आत्मा से कह रहे हैं या ऊपर से ?

Shri P. K. Deo: But Shastriji is not here to receive these greetings from us. He has been sacrificed, as had been said by my leader the other day, at the altar of peace. We hope that there will be an opening of a new chapter in our neighbourly relationship with Pakistan. It is claimed that a new era of joint welfare and assured progress has dawned, but I do not think that it is a very big achievement. It is a step in the right direction. We need not gloat over the success. The test of the pudding lies in its eating. It is to be judged from the events that are to follow.

This agreement was hailed from every corner of the world except China. We know the Chinese intentions. The Chinese advocacy of war as a medium to decide all disputes and the Chinese ulterior motive of fomenting conflict between India and Pakistan is so obvious.

It is a bilateral agreement; rather, it is a treaty because it has its operative portions. As a bilateral agreement it must have some give and take. It restores the *status quo ante* regarding the disposition of our troops; it assures non-interference in each other's internal affairs, puts an end to all propaganda of mutual vilification, restores diplomatic, commercial, economic and cultural relations, suggests repatriation of prisoners and so on. It cannot be construed to be a cent per cent victory or a cent per cent defeat to any party; rather, in other words I would say, it is a victory to both and defeat to none. I would submit to you and to this House that this document raises new hopes and expectations and it should be viewed in its proper perspective; it should be viewed in the context of Communist Chinese expansion; it should be viewed in the light of the intention of China which has posed a threat to freedom in Asia. We all know the growing appetite of China whose desire is to grab all the nations one after another after they are bled white by mutual conflict. The whole agreement has to be seen from the angle of the growing Pindi-Peking friendship.

There are the so-called defects. Let me point out the defects first. After the division of this country on the basis of religion and 18 years of bad blood, it is but natural that such a bold step will receive a mixed reception inside the territories of the two States. In Pakistan and in this country there was a mixed reception to this bold decision. We all know and I personally feel that India's independence might have been delayed by a couple of years, but no force on earth could have stopped India's nationhood while the British Empire was crumbling and small countries like Burma and Ceylon were becoming free. There was no force on earth which could have stopped this process, but this process was hastened though this country was divided and it only helped the Congress to be in the saddle of power much earlier, but it was a defeat of India's nationalism which has brought in its trail bitterness and illwill which has continued up till today. I being one of those who belong to the class who have sacrificed all or everything what our forefathers did for the unification of the country cannot reconcile to this division of India on the basis of religion.

[Shri P. K. Deo]

Sir, it has received a mixed reception. In spite of the unambiguous assurance of the Prime Minister in this House and outside that Kashmir is an integral part of India and that there would be no surrender of any part in Kashmir, we have put our seal to a document where we have to withdraw from some of our territories. The constitutional pundits quarrel over the constitutional propriety of it. I do not want to join in the wrestling bout on the constitutional platform. But I beg to submit that it is rather too premature to judge whether there has been any actual infringement of the Constitution or not at this stage. I feel strongly that the whole Agreement has to be examined in its true perspective.

When a voice is raised that under no circumstances we are to withdraw, I beg to differ from it. I feel that it is nothing but the restoration of *status quo ante*. When I hear that voice, I do not hear the voice of reasoning; I do not hear the voice of sanity; I hear the voice of passion; I hear the voice of arrogance; I hear the voice of stubbornness and I hear the voice of Duryodhana. What was the language of Duryodhana? When Lord Krishna went to him as a mediator and asked him to cede only five villages and said that it will be the end of all trouble, Duryodhana replied:

सूच्यग्रेण सूच्यग्रेण यावत् तिष्ठति मेदिनी ।
तावत् भूमि न दास्यामि बिना युद्धेन केशव ।।

Duryodhana said that under no circumstances he was going to budge an inch of land and that he was not going to cede even that amount of land which the sharpest needle could hold. And you all know the catastrophe, the battle of Mahabharta. We have learnt from the pages of Mahabharata that this whole catastrophe could have been avoided had Duryodhana listened to the words of wisdom and words of reasoning of Lord Krishna. Here the withdrawal is not of the vanquished but of the victor with honour and dignity, truly in Indian tradition.

I quite agree that *de jure* Kashmir is a part of India. But is not so *de facto*. There has been *de facto* possession of parts of Kashmir by China and by Pakistan. So far as Pakistan is concerned, all these years we have more or less reconciled to the cease-fire line. The Agreement only restores the *status quo ante*, as I have pointed out, and reaffirms settlement of disputes by peaceful means consistent with the United Nations Charter.

We have to face the realities. What is the other alternative? The other alternative is a perpetual state of war. If Mr. Bhutto says that it is a thousand-years war, we should have been prepared to say that it is a thousand and one years war. Are we prepared to say that? Are we prepared to utilise all our resources for defence only and not for economic reconstruction? It is impossible. I could not be a party to such a decision. After all, geography has made us neighbours for all time to come, whether we like it or not. Rather, we all know that it is a bitter pill. It has been done in the interest of the country. But a bitter pill has to be swallowed sometimes to improve the health and I am sure it would improve the health if it is implemented in the proper spirit and there is the proper follow-up action.

A big question-mark is posed: What is the guarantee against future infiltration In this regard, I beg to submit that the Secretary-General of the United Nations welcomed this Agreement. We have the blessings of the entire United Nations Assembly. Our great neighbour, the U.S.S.R., is honour-bound and if they can play their role properly, I do not see that any aggression could take place on India.

Another apprehension is: Is it not amounting to appeasement to an aggressor? Will it not demoralise our fighting forces? My answer is a big 'No'. I say that our gallant fighting forces have proved their valour and gallantry. They have proved their gallantry against heavy odds and superior arms of the opponent. Their deeds are written in letters of gold. We won many battles in the aggressor's own soil. We, more or less, brought the aggressor to its knees and we knocked at the door of Lahore. India has no territorial ambition. We taught them a lesson. In the trial of strength, we have proved our superiority. We have wiped out the scar of humiliation and defeat which had been inflicted on us during the regime of the former Defence Minister and we earned fresh laurels of victory in the crucial battles. We won the war and we must win the peace. It is not the peace of the grave. It is the peace of the brave. We are asking for that peace. Of course, the price is too high. It has to be paid. It is worth it. We want that the beginning that has been made is followed up properly. Unless there is a follow-up action, we might slide back to tension again.

The leader of our Party has tabled an amendment to the Motion of Thanks to the President's Address. It is self-explanatory. May I read it:

"That at the end of the motion, the following be added, namely,

"but regret that—....

(d) the Address does not indicate any readiness to follow up the implementation of the Tashkent Agreement by building an economic basis for friendship between India and Pakistan by the abolition of traiffs and duties on goods crossing the frontier between the two countries and by setting up a Joint Committee to consider ways and means by which economic and other forms of cooperation between the two countries may be furthered to the mutual benefit of both."

If there is a proper follow-up action, if our resources are to be mobilised towards economic reconstruction, I am sure the tax burden in both the countries would be minimised. By this economic cooperation, we should be able to build a common market. If the independent sovereign countries in Europe could have a European Common Market, why not India and Pakistan also allow the tariff barriers to go? We should pool our resources for our mutual benefit. We should send iron and steel and coal to Pakistan and get food, jute and cotton from there. Each one will be extending a complementary hand in the economic reconstruction of the other. I am sure once this spirit has gathered momentum, it could be extended to other fields. It may be a joint defence agreement against our common enemy, that is, Communit China.

Trust begets trust. Dr. Lohia has often laid stress on forming a confederation. I go a step further. God willing, if all goes on well, why not from the pangs of birth emerge the re-unification of these two nations? After all, we are the same people. When a new world society is gradually emerging quietly and imperceptibly in the minds and hearts of men and national barriers are withering away for a world Government, I dream of the *Akhand Bharat Varsh* It could only be achieved through the love and friendship and never through war or hatred. This is the first step in the right direction. Once it is achieved, it will undo all the mistakes which we have committed so far.

With these words, I support the Tashkent Agreement and urge that it should be given a fair trial.

Mr. Deputy-Speaker: Mr. Mukerjee.

15 hrs.

Shri Sivamurthi Swamy (Koppal): I have to move my motion.

Mr. Deputy-Speaker: That is taken as moved. Mr. Mukerjee may begin.

Shri H. N. Mukerjee: A little while ago I was constrained to say that, since yesterday's discussion on Kerala, on the mounting failures of Government, specially of the Food Ministry, we have a very sour taste in our mouth and after the exhibition, a little while ago, of incompetence on the Government benches, I feel it difficult to muster sufficient enthusiasm in supporting the Government, but the Tashkent Declaration is in a very different street and the spirit of Tashkent has brought, as it were, a wave of fresh air and exhilaration into the sordid atmosphere which so often weighs us down. I feel that, in regard to the Tashkent Declaration, we can, in spite of our very serious criticisms of Government in so many other regards, offer our full support.

I have no doubt that India is in honour bound and also out of a sense of self-respect and duty, to redeem the pledge to peace and to consolidation and concord between India and Pakistan which the late Shri Lal Bahadur Shastri had given. He gave that pledge in the fabled city of Tashkent almost, as it were, with the last breath of his being, and it is upto India to honour that great pledge.

Some discordant voices, of course, have been raised which is why the Tashkent spirit, which my friend, the hon. Minister tried to explain ardently, requires to be understood and cherished.

In spite of the recent unhappy confrontation with Pakistan, the basic objectives of peace and amity between our two countries, as embodied in the Declaration of Tashkent, must, on no account, be allowed to be distorted. Nothing can be more welcome to India than what is indeed the core of that document, namely, the renunciation by both the countries of recourse to force for the settlement of our mutual disputes. Even during August-September, 1965, this country did no more than give a fair but stern notice to Pakistan that any attempt to secure alteration of our borders by bullying methods and by recourse to force, would just not be tolerated. Even in the worst days of that encounter, India had made it clear that she craved not an inch of Pakistani soil, that she wished neither harm nor humiliation to Pakistan, that she would not, unless absolutely compelled to do so, extend the war in the direction of East Pakistan. We have, in spite of our own share of chauvinists in this country, preferred the ways of dignity and restraint, even in the face of provocation, and to us, therefore, the Taskent stress on the renunciation of force is a highly prized achievement which this House should unconditionally support.

It was no more than appropriate that Tashkent was the venue of the discussion, and that the meeting was sponsored by the Societ Union. Perhaps without the courageous initiative and the truly indefatigable labours of Mr. Kosygin, the Soviet Prime Minister, the successful outcome of the meeting would have been impossible. To him personally and to the Soviet Union, this country has the liveliest sense of gratitude. They have stood by us as principled friends in a manner that, as Lal Bahadur Shastri said in this House during the last session, this country will never be able to forget. If friendship is tested by adversity, the Soviet friendship for India has proved itself a many splendoured thing, and we got an illustration of it when, speaking in Delhi, Mr. Kosygin repeated, "India is our friend and brother".

Renunciation of force for settlement of disputes is a victory of peace of goodwill and of neighbourliness which, commonsense and decency require, should prevail in the relationship between our two countries. It was right for India also—I agree with my friend, the hon. Minister—to agree to a mutual withdrawal of armed personnel since Pakistan had consented

not only to withdraw all armed personnel but also to respect, after withdrawals, the ceasefire terms, and there was the undertaking of non-interference in each other's internal affairs. The stipulation that, in order to resolve all disputes, representatives of the two Governments would meet whenever necessary at different levels, either the topmost level or any lower level, is a further indication that we are determined on one thing. If the Tashkent Declaration has any serious content, it is this that the two countries are determined on our own and without the intervention of mischief-minded busy bodies from United Nations or elsewhere. We are determined on our own to liquidate acrimony and to live as instinct and interest dictate—we should live with good-neighbourliness and understanding.

This is entirely in keeping with the country's decision that we follow an independent policy in foreign affairs. In its worry over food and in its fear of not being in the good books of the United States of America, for example, the Government seems sometimes to forget that basic fact, but that is our national decision—a policy of peace and non-alignment—and if, heaven forbid, the Tashkent concord is disrupted or even encumbers serious difficulties in implementation, then the new imprialist power-political game, of which India has been the victim, will surely be resumed. I say this because there are certain things that, in this connection, we cannot just afford to forget.

The United Kingdom, as we have seen over and over again, seems unreconciled to Indian freedom and hopes for Pakistan, being somehow comparatively a safe and malleable customer, as capable of being used even in the way she had intended—Britain had intended—at the time of Partition. Maulana Azad has left it on record that the objective of Britain was potentially to use Pakistan as a British base against India. The hangover of this continues in the minds of the British ruling class. That is why Britain has not become reconciled to the fact of Indian freedom and the determination of India to go ahead in her own way.

As far as the United States of America is concerned, she reckons her presence in our part of the globe as a sheer power-political necessity which, perhaps, according to the United States' calculations, Pakistan and not India will sub-serve. Of course, it was our failure to effectively combine in the days of freedom struggle, which had compelled us to pay the price in 1947, however reluctantly we had to pay the price of Partition.

The U.K. and the U.S.A., in particular, continue to try to queer the pitch for our two countries to move ahead in peace and in co-operation and to develop our economies and independent policies, untrammelled by traditional big power interests in this part of the world. The malevolent and deliberately mischievous attitude of the United Kingdom and the United States of America in matters relative to Indo-Pakistan differences is part of the price which we continue to pay for the original sin which we committed—the original sin of Partition—in 1947.

If we delve into a little history we could see how in 1953-54 the U.S.A. was unable to get India to deviate from her policy of non-alignment, but with their openly proclaimed desire of getting "Asians to fight Asians"—that was a solgan put forth by a very distinguished American President—they wanted to control the strategic areas by a kind of proxy. Expert witnesses before the United States Congressional investigations have testified how at a cost of only 10 dollars per head, a rifle could be placed in the hapds of a Pakistani soldier, while the comparable cost in the case of an American soldier to be sent to that area would be over 5,000 dollars. I remember having quoted this document from out of the U.S.

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Congressional investigation proceedings, because in those days, as members of the Commonwealth Parliamentary Association or that kind of organisation we used to get these reports, and perhaps because I had quoted this out of the U.S. Congressional investigation proceedings, we no longer get such reports distributed by the agencies responsible, who used to give us in those days not only the Journal of the Comonwealth Parliamentary Association but also the Congressional investigations in the United States. I have quoted in this House, I remember very distinctly, in 1953 how they had said, or a very important military expert had said that in Pakistan and nearby areas you could put a rifle in the hands of the native soldier at a cost of 10 dollars while to send an American soldier and do the job would cost on an average 5,000 dollars each time.

Shri Joachim Alva (Kanara): We do not get those things now; the Congressional records are no more available to us.

Shri H. N. Mukerjee: India declined to offer of walking into the net which America was offering us in the military alliance, but Pakistan swallowed the bait, and the U.S.-Pak military pact was concluded in 1954; then, a virtual time-bomb was planted in our sub-continent whose explosion we saw last year.

This country has seen how all assurances regarding the non-user by Pakistan of United States military assistance against India have been a fake, and this country has seen how aid from certain Powers has been use against us as a weapon, no less a weapon of blackmail in order to cow us into submission. It is a chapter shameful for us and sordid on all accounts, which one would like to forget, but it is very difficult to do so.

It is this bad old context out of which the Tashkent Declaration helps us to steer clear. I do not know if I can get this into the craneum of our Ministers over there who seem to function in a small way, who do not seem to understand the global significance of certain things, who do not realise how certain things happened because of certain Power-political complexes operating in our part of the world. It is out of that bad old context, the context of the US-Pak military pact which was, as I said a little earlier, a time-bomb planted in our part of the world, it is out of that bad old context, that we have to steer clear, and that is what the Tashkent Declaration declares to all the world. If we have differences, we can settle them by discussions among ourselves, not by recourse to arms, not by fighting each other, not by going on bended knees to the United Nations or to our patrons in one country or the other, but by discussions which we hold on our own, uninhibted discussion helped by friends, if friends are genuine friends, sincere well-wishers of ours, if they do not intervene in order to make us follow their way. That is the lesson of Tashkent. That is something which has got to be drilled into the minds of those who are ruling this country. This is not a matter of pragmatically and practically taking a decision, of living from hand to mouth and of merely settling some problems because they crop up just like that. It is not in that spirit that you can understand the Tashkent Declaration. If you cannot understand the basic essence of it, then it would be merely another document in the list of documents which circulate in the archieves of the Foreign Ministry.

The Taskent Declaration has been welcomed all over the world. My hon. friend here said that except for China, every other country has welcomed it; and particularly countries like the German Democratic Republic; have given it a very special welcome, because the Taskent Declaration seems to give to them an instrumentality for the kind of problem which separates

the two Germany's which want to come together but on a basis which is acceptable and honourable to both.

We have also to remember that in our own country, whatever some of our friends here might say, the Tashkent Declaration has been welcomed in those border States which have had to bear the brunt of the August-September fighting. In the Punjab it has been welcomed. I have seen reports in the press—I do not know what the Jan Sangh spokesman in this House would say, but I have seen reports in the press—that the Jan Sangh in the Punjab has welcomed the Tashkent Declaration. I know that in Rajasthan it is welcomed. I know that Bengal and Assam, for Bengal particularly I can speak from personal experience, welcome it, because in East Pakistan we have got a wonderful pocket of sensibility and decency which one day would perhaps light the torch which would illumine the whole of Pakistan, and we do not want to have inimical relations developing between our two countries. And above all, Kashmir and her Government led by Mr. Sadiq have welcomed this Tashkent Declaration. Now, we should know what is what, and we should trust the people on the spot, those who fought when fighting was necessary and gave of their blood and their treasure and faced every conceivable risk; they are coming forward to support this idea. And a word of praise for Mr. Sadiq and his Government and the people of Kashmir would perhaps be very necessary; though we have repeated it ever so often, perhaps it is rightful to repeat it. They have all welcomed the idea of Tashkent because this gives us an instrumentality for solving our problems.

I know that the question is raised of Haji Pir Pass, and Tithwal and Kargil areas which we occupied for some tactical considerations, which we are now agreeing to withdraw from, and there is some objection to that. I do not understand it. If Pakistan does not mean business, if Pakistan does not wish to observe the Tashkent Declaration—I have no such suspicion up to now—if Pakistan wants mischief, she can do it; she can continue this kind of thing; if infiltrators come, they can come in all kinds of ways, not only through the Haji Pir Pass but through many other passes as well. But here we have got a comprehensive Declaration that they are not going to have that kind of thing at all and that infiltration and that sort of thing which really amounts to intervention in our affairs by recourse to force is not going to be practised at all. That is the solemn word pledged at an international meeting in a document, attested by the Prime Minister of the Soviet Union himself, by the President of Pakistan and signed also by the Prime Minister of India. In that case I do not see why any objection can arise and any dangers of a risk accruing to India might be thought of because we are agreeing to withdraw as we should withdraw in terms of the Declaration from certain areas like Haji Pir Pass.

I would then say, as my hon. friend Shri P. K. Deo had said, that it is necessary for our Government to take further initiative in this matter and to consolidate the gains of Tashkent. It is not a matter of our having come to some kind of an agreement so that there is no fighting between our two countries; but if tenslon continues, if mentally we continue to be almost at war, then naturally the whole position would be vitiated and jeopardised. Therefore, it is necessary that Government take serious steps to consolidate the bonds of amity between our two countries. Such things as exchanges of students, of writers, of journalists, of teachers, of cultural delegations and that sort of thing, even parliamentary delegations, and sports teams between our two countries can now be undertaken with real gusto and with real fervour; that kind of thing should certainly be undertaken. Economically, he has suggested steps which should surely be taken. After all, the economy of these two countries is inter-dependent. The Bengali in West

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Bengal wants fish from East Bengal and the East Bengali wants all kinds of things, such as consumer goods, from West Bengal. The economy of our two countries—I need not dilate on it at this point of time—is so interdependent that whatever we can do by way of arriving at something like a customs union is most terribly important. But what I do not understand is that we have so many of these exchanges of cultural delegations and students and teachers and so on and so forth with a many other countries, but even in the best of times with Pakistan somehow this exchange has not occurred to the extent that was necessary and this is something which we fail to understand.

In Bengal we know that today in East Pakistan there is such a tremendous feeling for the Bengali language and literature, and for Rabindranath Tagore; in fact, not he alone but other writers of a lesser calibre are also cherished; their works are read with avidity in East Bengal. In Dacca ,the Tagore celebrations are held on a scale which could hardly be conceived of in a distant area. In West Bengal a poet like Nazrul Islam is looked upon as a national figure. Of course, we have all known of great figures like Iqbal who wrote:

हिन्दी है हम वतन है हिन्दुस्तान हमारा ।

He could write that at one point of time; maybe later it changed over to something else. But there is somesomething basic in us that makes us realise that while we may be two different states—we may have to continue, unfortunately, separately as two different states for a good length of time—we do belong to the same stock, we do have so many features of affinity that we can easily build upon them. We can build that confederation of minds and hearts. Confederation is talked about by some of our friends here sometimes, but I cannot understand the methodology of their projected achievement of confederation through continuation of fighting or that kind of thing. What is necessary is a confederation of minds and hearts. That is something of a task to which the Government as a whole should lend its hand after Taskhent.

In article VIII of the Tashkent Declaration, there is a reference to one matter. The Prime Minister of India and the President of Pakistan 'also agreed that both sides will create conditions which will prevent the exodus of people.' They will 'continue the discussion of questions relating to the problems of refugees and evictions/illegal immigations'. A little while ago I think I saw Shri Fakhruddin Ali Ahmad who belongs to Assam, who knows something about the problem of immigration. Perhaps there should be some kind of understanding between our two countries that for a certain length of time we do not push out these supposed immigrants, we follow a policy of a more generous nature and later we come to a state of things where the minorities on either side are treated so well, that there may be no further exodus and there would be no danger in regard to immigration.

I want to say this over and over again, in spite of appearing to stress one point, that Pakistan, the partition of our country, has meant something like a heartbreak for many of us. In Bengal it is so difficult to conceive of the area watered by the billowy-bosomed Padma and its myriad tributaries, which is the venue of so many of the stories of Rabindranath Tagore, for example, as not part of Bengal. The other day I looked up a verse by the Urdu poet Mir who wrote at one time:

दल ढहा के जो काबा बनाया तो क्या किया ।

"What if you have built even the house of God on the ruins of the human heart?" We have got our freedom. The two countries are independent states. We surely have a great deal to be feeling exhilarated over that sort of thing. But the heart

has broken because something has snapped between these two countries not being able to continue in a friendly posture. I do not see why we cannot do something about it. In regard to that, I would say that even today in this country under the direction of this Government, people continue to be in jail because of a remote suspicion of their having at some time some sort of sympathy with Pakistan. Our colleague, whom we miss in this House, Shri Badrudduja is not here just as Shri Gopalan is not here—has been detained for a long time without trial. Till my dying day, I am not going to believe that Shri Badrudduja or Shri Gopalan are people who can be traitors to their country. But Shri Badrudduja was held up in jail and is not released even now. Why this kind of thing happens after Tashkent is something which I cannot understand.

Shrimati Renu Chakravartty: We want the Prime Minister to look into this.

Shri Ranga (Chittoor): He is one of our colleagues.

Shri H. N. Mukerjee: My submission to the Government, therefore, is that it lends reality to the spirit of Tashkent and follows up what the Tashkent Declaration calls upon us to do. We have to follow policies which would bring about reconciliation inside the country. If I was a Muslim, it was perhaps very likely, some of our kith and kin being in Pakistan, that in the days of war and fighting what was happening over there as well as here might not have evoked particularly jingoistic, chauvinistic, feelings in some of us. It is important for us to realise that we are human beings first and citizens of one state or the other next. It is only perhaps in times of tension, in times of great excitement that this happens. Perhaps this is part of human nature. But we recollect ourselves; Tashkent has given us an opportunity to recollect ourselves.

There is one matter to which I wish to refer with which I shall conclued my speech, and that is in relation to China. My hon. friend, Shri Das—he is not here—referred to China. One of the points he sought to make was that China is an incorrigible enemy and, therefore, we have to got together with Pakistan and whoever else it may be and try to see that China is more or less liquidated—if we can do so.

Shri Ranga: No, no.

Shri H. N. Mukerjee: The Parliament Secretariat has supplied us with this very prettily-printed pamphlet containing the Prime Minister's broadcast to the nation. I find a very fine statement here. It is:

> "We seek to maintain the friendliest relations with our neighbours and to resolve any disputes peacefully. The Tashkent Declaration is an expression of these sentiments. We shall implement it fully in letter and spirit".

A very fine statement; in letter and in spirit, we shall fulfil the Tashkent Declaration and we seek to maintain the friendliest relations with our neighbours and to resolve all disputes peacefully. The dispute with China also is a dispute with a neighbour and it has to be resolved peacefully. I know that I would be told that China is perverse. I yield to nobody in saying,—and I have openly expressed my views in this matter—that I have also found many of China's actions in relation to India to be particularly perverse, which I cannot understand. But there is no reason why we should not take the initiative in this matter; there is no reason why, if other countries are not there to help, we on our part do not keep the point that we want to settle these matters by peaceful methods alive. It is necessary for us to keep that matter alive all the time. If we are really and truly committed to peace, it implies that we have optimism for the future and the conviction that if there are clouds in

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the horizon, the clouds are sure to break.

An hon. Member: Why not ask Kosygin to help?

Shri H. N. Mukerjee: If there is no hope for the future, as some people think, then perhaps we would not mind the present going up in flames. But we have hopes for the future. We have hopes for China. Surely one-fourth of the human race lives in that country. The People's Republic of China represents a great force, whether we like it or not, and we have to come to terms with the world as it is.

Therefore, I say that in spite of the grievous provacation which we continue to receive from China—we heard a report about it this morning—I say that we should have two things in mind as our aim at the same time, our determination to defend our integrity and our determination also to pursue the paths of peace in order to have a settlement. And here is a statement of the Prime Minister which fortifies my conviction that the Government's policy in this regard is that it is serious about Tashkent and all it implies, that it wants to settle with all neighbouring countries, whichever is the country with whom we happen to have a dispute, in a peaceful manner.

Let us, therefore, not be helpless victims of whatever situation is created either by China or by the Anglo-American neo-imperialist seum who operate in the United Nations and elsewhere in various disguises in world politics today. The wages of India-Pakistan hostility may be the death of all the hopes of Indian achievement. This is a challenge to us. These hopes today have soared to heights. We do have the conviction that those hopes would be fulfilled if only the Government pursues truly and sincerely the implications of the Tashkent Declaration.

Shri K. C. Pant: Mr. Deputy-Speaker, I have moved the substitute motion—

> "That for the original motion; the following be substituted, namely:—
>
> 'That this House having taken into consideration the Tashkent Declaration, approves the stand of the Government of India thereon'".

The two hon. Members who have spoken before me represent two extreme segments of the political life of this country. That they have, nevertheless, found it possible to support the Tashkent declaration, each perhaps for his own reasons seems to suggest that the Tashkent spirit has not left them untouched. The Tashkent declaration was not written on a clean slate. Behind it lay years of arid conflict between the two countries, and in the course of those years, many attempts were made, especially on the part of India, to find a basis whereby force would be renounced for the settlement of disputes. The most significant thing about the Tashkent agreement is that after all these years it has at last been possible to find an area of agreement which covers this essential point of renunciation of force for the settlement of disputes between the two countries. In this sense, the agreement does represent a break-through because it breaks the spiral of suspicion and tension between the two countries.

That it should have come so soon after a bloody conflict makes it all the more remarkable. This does not mean that the Tashkent agreement by itself constitutes a solution of any of the outstanding problems between India and Pakistan. It is a declaration of good intent, and its value in terms of concrete results depends upon the sincerity with which it is given effect to. As the Prime Minister has stated in her statement yesterday, "the success of the Tashkent declaration

consists in the fact that both countries are now agreed not to take recourse to force and to settle their disputes through peaceful means."

We are all aware of the events beginning with the aggression by Pakistani infiltrators on 5th August, 1965. We know that the armies of the two countries clashed, and we also know that in this clash, our armed forces gave an excellent account of themselves and, if it is not too much to say so, inflicted a resounding defeat on the Pakistan army, in spite of their superiority in equipment. But, really speaking, the main point of that conflict was that India had the will and the determination to stand up and fight when its vital interests were involved, and secondly that it had the ability to fight for those interests. This will and determination to protect its interests and the ability to protect those interests, these constitute the main lesson of the conflict that took place in the months of August and September.

If we are to follow the logic of these lessons, then our display of unity, strength and will to fight for our interests by themselves constitute an important factor in maintaining peace on the sub-continent. So long as these factors are there, we do not run any risks by an agreement of this kind.

It is important to remember that India had not entered the conflict with the aim of inflicting a total defeat on Pakistan, and so when the cease-fire came into existence, the position was that while the Pakistan army had received a somewhat servere drubbing, its back had not been broken. It is, therefore, wrong to expect the Tashkent declaration to be a catalogue of surrender terms dictated to a defeated Pakistan. In the words of our revered President, "no one would claim that the declaration is a perfect document; it has the elements of give and take, compromise and conciliation."

The House will recall that when the late Prime Minister left for Tashkent, the two armies were facing each other across a fragile cease-fire line. As Shastriji said after the signing of the agreement, the meeting was held, I quote:

> "in order to see that there is no escalation of conflict. If there had been no agreement here, tension would have become more acute, and it would have led to further conflagration".

It is gratifying that the various steps indicated in the agreement are being taken by both parties, and this has definitely led to a reduction of tension. What is more, the leaders of both countries have acclaimed the Tashkent spirit, though there are some in both who oppose it.

Another element in the background of events is the Security Council resolution which called up India and Pakistan first to cease fire and subsequently, when the cease-fire had been achieved, to withdraw the armies on both sides to positions they occupied prior to 5th August, 1965. And it must be remembered that not only the USA and the USSR, but all the members of the Security Council were a party to this resolution. The Security Council was finding it somewhat difficult to get this resolution implemented, and the danger of the conflict escalating was everpresent. It was in this situation that the USSR renewed its initiative for holding the Tashkent talks.

Why did we agree to go to Tashkent? That is a relevant question, and when we understand that question, we understand many of the implications of the agreement. Firstly we went because we had confidence in the Soviet Union. The Soviet Union had been our consistent supporter in the Security Council and outside on the Kashmir question. Even otherwise, our relations with the Soviet Union are extremely warm and friendly.

The second reason was that because the Security Council was already seized of the so-called Kashmir question, it would eventually take it up

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for discussion once again. Our experience of the Security Council meetings has been that far from resolving differences they prompt both parties to adopt extreme positions. It was, therefore, any day preferable, if we really wanted a break-through in our relations, to discuss the issue in the presence of a powerful and friendly Soviet Union which recognises the justice of our stand on Kashmir. We have to remember that at Tashkent, for the first time in history, the Soviet Union took a diplomatic initiative in resolving the outstanding differences between two neighbouring countries in Asia. The Soviet Prime Minister, Mr. Gosygin, involved his own prestige in the negotiations and played a historical role in guiding them to success.

The long-term significance of the success of the Tashkent talks lies in the Soviet Union's assertion of its presence in Asia. India should welcome this event, just as China could hardly be expected to welcome it. All along China had done its best to sabotage the Tashkent talks, and their success represents a rebuff to that country. China advocates war as a means of settling disputes, and here the dispute was solved around a conference table, at least some of the disputes, even though minor ones, and China definitely has all along shown a lively interest in fomenting trouble between India and Pakistan. In so far as the Tashkent agreement represented some step forward towards further agreement between the two countries, it was a rebuff to China. But China is an exception in this regard. International opinion at the moment is overwhelmingly in favour of restoration of normal relations between India and Pakistan.

It was my privilege to represent this country in the delegation to the United Nations last year when this whole question was considered. I had the opportunity to talk to a large number of delegates from a number of countries, and in the course of those discussions I found that, broadly speaking, most of those countries were rather tired of the Kashmir problem. They had been hearing arguments year after year for the last 18 years, and almost every one wanted the two countries to sit down and find a way to settle their disputes peacefully as early as possible. In one respect I found a change in their attitude after the recent conflict. More and more countries seem to realise that plebiscite was no solution to the problem of Kashmir. This constituted in many cases a departure from previously held opinions. But then having accepted that plebiscite is no solution, they naturally ask as to how the differences over Kashmir were ultimately to be resolved. It can be either through military or political means. Every problem has to be solved some day and the world community certainly prefers the conference table to the sword. It has also been India's preference all along. Our attitude at the Tashkent talks could not possibly be inconsistent with this basic approach. When the Prime Minister left this country for Tashkent he held many discussions within the party and with the Opposition leaders and with others and the broad sentiment appeared to be that, short of sacrificing our vital interests, everything should be done to prevent the collapse of the Tashkent talks.

Shri Bade: That is not the assurance of the Opposition parties.

Shri K. C. Pant: I hope you heard what I said—short of sacrificing our vital interests. What are these vital interests? Broadly speaking, they relate to the states of Jammu and Kashmir and the security of our frontiers. I hardly think that Mr. Bade will disagree with that. As far as the status of Kashmir is concerned we must make it perfectly clear that we stand firmly by our previous position on Kashmir, namely, that it is an integral part of this country..... (*Interruptions.*) I am not yielding I do not have sufficient time. The Tashkent declaration

should not be permitted to be considered in any other light. We owe it to our armed forces and our people, particularly to the government and the people of Jammu and Kashmir that there is no ambiguity, no shadow of doubt or possibility of miscalculation on this score. The people of Jammu and Kashmir have a right to settle down to a life of normalcy and security. Knowing as we do that both the United States and Russia are keenly interested in a settlement between India and Pakistan we must be particularly careful not to give them the impression that the Tashkent declaration constitutes a willingness on our part to compromise our basic position on Kashmir. I do not here suggest that pressures are used but whether we like it or not the objective conditions in which we find ourselves leave us open to all kinds of pressures. There is on the one hand a threat from China whom we cannot fight alone at this stage. I think there is need for economic assistance at least for a few more years to come. It is better to recognise these pressure points and guard against them than ignore them and be cought by surprise. This brings me to the question of security of our frontiers.

Not even the most starry-eyed optimist would expect the government to relax its vigilance or weaken its defence preparedness because of the Tashkent declaration. There is no room for complacency. I am sure Mr. Bade will agree with me there. In the ultimate analysis the Tashkent declaration at its best can be the first step towards a new chapter of peace, harmony and co-operation between India and Pakistan; at its worst it amounts to the implementation of the first part of the Security Council resolution. Both this declaration and the Security Council resolution refer to the withdrawal of armed personnel to the 5th August line.

Shri Bade: Does it refer to the withdrawal of infiltrators from Kashmir?..... (*Interruptions.*).

Shri K. C. Pant: What is the significance of this date, 5th August? It is this, that infiltration started on this day. It would have been difficult for us ultimately to refuse to withdraw to the 5th August line as per the Security Council resolution not only because of world opinion but because we should not ignore that we had our own problems in Chhamb. To those who criticise our withdrawals from Haji Pir etc. I would not attempt to give an answer because the Foreign Minister has already given an interpretation of the Tashkent agreement. It covers these points and I would only say this that to the best of my knowledge our army agreed with the decision to withdraw from these posts.....

Shri Maurya: No; Army officials—I do not want to name them—did not agree..... (*Interruptions.*)

Shri K. C. Pant: I am sure he will get his chance to have his say and he should wait for that.

Shri Maurya: Say things which you feel; do not talk about the army; the army did not agree.

Shri K. C. Pant: The second thing is that if we had to withdraw to the 5th August line, then it is my submission that it was better to withdraw in Tashkent and in happy circumstances rather than to do it with ill-grace under pressure from the Security Council.

As to seeking guarantees against further aggression by Pakistan I believe that the only guarantee that counts is our own strength. As a sovereign country if infiltrators come into our country we shall shoot them down. That is the only answer and the only guarantee.

In conclusion may I just say that the Tashkent declaration has been held as a statesman like step throughout the world. It is something more

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for us. It is the last commitment to which our late Prime Minister pledged his country. He restored this country's confidence in its own strength and ability to defend itself. His faith was born of strength. Let us not be wanting either in that strength or in that faith. Let us not forget that the Prime Minister who signed the declaration on behalf of India was a man of acknowledged sincerity, honesty and a high sense of public duty. He was not a weakling. He led the country in war without fear and hesitation. Let us only ask ourselves: could such a man have betrayed national interest or national honour. The answer is surely, no. Let us then implement the Tashkent declaration in letter and spirit without harbouring any suspicions in the hope that it will pave the way to peace and understanding with a neighbour who will always be there.

श्री भागवत झा आजाद (भागलपुर) : उपाध्यक्ष महोदय, आज जब हम ताशकन्द घोषणा पर विचार कर रहे हैं हमारे मन में स्वभावतः यह भावना आती है कि इसके बनाने वाले हमारे देश के स्वर्गीय प्रधान मंत्री लाल बहादुर शास्त्री जी हमारे बीच होते । उन्होंने इस देश को अपनी प्रतिष्ठा और अपना सम्मान देने के लिए जिस प्रकार इस देश की सेना को आक्रामक के विरुद्ध भेजा और उसमें जीत पायी उसी प्रकार अपने प्राणों की आहुति देकर उन्होंने ताशकन्द में इस देश की प्रतिष्ठा को और भी आगे बढ़ाया । उपाध्यक्ष महोदय, मैं समझता हूं ताशकन्द घोषणा एक ऐतिहासिक घोषणा है । ऐतिहासिक घोषणा इस अर्थ में कि ताशकन्द घोषणा ने न केवल इस महाद्वीप में, न केवल एशिया में बल्कि सम्पूर्ण संसार में शान्ति को बल दिया है । ताशकन्द घोषणा ने न केवल इस बात पर ओर दिया है कि युद्ध से तमाम प्रश्नों का विधान नहीं होता बल्कि ऐसे भी प्रश्न दुनिया के दो देशों के बीच संसार में हैं जिनका हल करने के लिए आवश्यक होता है कि ऐसी ऐसी घोषनाओं पर विचार किया जाय । उपाध्यक्ष महोदय, मुख्य सफलता इस घोषणा की क्या है ? इस घोषणा की मुख्य सफलता यह है कि हमने दोनों देशों के बीच यह तय करा लिया है कि हम बल का परित्याग करेंगे । यह बात हम पर लागू नहीं होती क्योंकि हिन्दुस्तान ने कभी भी किसी समस्या का हल करने के लिए पाकिस्तान के साथ बल का प्रयोग नहीं किया लेकिन पाकिस्तान ने जिसने हर समस्या के समाधान के लिए आज तक बल प्रयोग करने की कोशिश की, उसे इस बात को मानना पड़ा कि बल प्रयोग से तमाम बातें हल नहीं हो सकतीं और इसलिए ताशकन्द घोषणा की सब से महत्वपूर्ण सफलता हमारे स्वर्गीय प्रधान मंत्री लाल बहादुर शास्त्री की सफलता और हमारे मित्र कोसीगिन की सफलता इस बात में है कि उन्होंने एक ऐसे राष्ट्र को जिसने अपनी समस्याओं के समाधान के लिए बल प्रयोग को ही महत्वपूर्ण समझा था उसको इस बात पर राजी करा लिया कि बल प्रयोग से समस्याओं का समाधान नहीं होगा । इसलिए हमारी मुख्य सफलता यह है ।

अगर हम इसको पिछले 18 वर्षों की पृष्ठभूमि में देखें तो इस पर कुछ प्रकाश पड़ेगा क्योंकि हमारा पिछले 18 वर्षों का इतिहास दोनों देशों के बीच में दुःख का इतिहास है, घृणा का इतिहास है, आपस में लड़ाई का इतिहास है । हमारे इस महाद्वीप को जब ब्रिटिश साम्राज्यवादी बांट कर गये तो वह काश्मीर को बम के समान, एक टाइम बम के समान बीच में छोड़ कर गये । इसका परिणाम यह हुआ कि दोनों देशों में आर्थिक प्रगति जितनी होनी चाहिए थी उतनी नहीं हो पाई । हमारे यहां तो आर्थिक प्रगति हुई भी लेकिन हमारे पड़ोसी पाकिस्तान में आर्थिक प्रगति के बजाय सिर्फ सबरजेट और पैटन की ही प्रगति हुई, उस के पास अमरीका के और अन्य लोगों के अस्त्र आदि आते रहे।

वहां पर इस बात की तैयारियां हैं कि बल प्रयोग के द्वारा हिन्दुस्तान से इस बात को मनवाया जाय कि काश्मीर जो भारत का अविभाज्य अंग है उसको शक्ति के द्वारा हड़प लिया जाय। यह घोषणा इसलिए महत्वपूर्ण है और इसकी मुख्य सफलता इस बात पर है कि हमने पाकिस्तान को यह बता दिया, पाकिस्तान इस बात को मानने पर मजबूर हुआ कि समस्याओं का समाधान बल प्रयोग से नहीं होता है। इसलिए इस ताशकन्द की घोषणा की मुख्य सफलता यह है कि हमने इस बात पर जोर दिया।

आज इस देश में कुछ लोग तरह तरह के प्रश्न उठा कर जनता को गुमराह करना चाहते हैं। वह कहते हैं कि आपने हाजीपीर और कारगिल आदि स्थानों से वापिस आ कर के अपने देश के साथ धोखा किया है। इस के लिए हम सदन का ध्यान अपने स्वर्गीय प्रधान मंत्री शास्त्री जी के 14 सितम्बर के उस पत्र की ओर ले जाते हैं जो उन्होंने उस समय ऊ थांट को लिखा जब कि वह हमारे देश में आये थे। जिस समय पाकिस्तान और हिन्दुस्तान के बीच युद्ध चल रहा था जिस समय हमारी सेनायें आक्रामक को भगाने पर लगी हुई थीं उस समय ऊ थांट हमारे देश में आये थे तो उस समय स्वर्गीय प्रधान मंत्री श्री लाल बहादुर शास्त्री ने स्पष्ट शब्दों में कहा था कि हमारी सेनाएं लड़ती रहेंगी जब तक पाकिस्तान इस बात को महसूस न कर ले कि बल प्रयोग के द्वारा समस्याओं का समाधान नहीं होता है। उन्होंने सिर्फ यही नहीं कहा अपितु उन्होंने यह भी कहा कि अगर दोनों देशों के बीच युद्धविराम हुआ तो युद्धविराम के बाद भी हमारी सेनायें तभी पीछे हटायी जायेंगी जब पाकिस्तान इस बात को कहे कि वह बल प्रयोग नहीं करेगा। दूसरी बात उन्होंने यह भी कही कि जब तक यह दरवाजा घुसपैठियों के आने के लिए बन्द नहीं हो जायगा तब तक हमारी सेनायें नहीं हटेंगी। स्वर्गीय प्रधान मंत्री श्री लाल बहादुर शास्त्री की यह दो शर्तें थीं जोकि उन्होंने यूनाइटेड नेशंस को और सैक्रेटरी जनरल ऊ थांट के सामने रक्खी थीं। हम ने उनको स्पष्ट रूप से बता दिया था कि हम तब तक अपनी फौजें नहीं हटायेंगे जब तक पाकिस्तान यह प्रतिज्ञा न करे कि हम बल प्रयोग नहीं करेंगे। दूसरी शर्त हमारी यह थी कि घुसपैठियों के आने के लिए दरवाजा जब तक बंद नहीं होता तब तक हमारी सेनाएं पीछे नहीं हटेंगीं। इस के दूसरी ओर उपाध्यक्ष महोदय, पाकिस्तान की क्या शर्तें थीं? पाकिस्तान ने सेक्रेटरी जनरल को लिखा था कि हम तब तक अपनी सेनाएं युद्ध विराम के बाद नहीं हटायेंगे जबतक कि काश्मीर का प्रश्न हल न हो जाय या काश्मीर के प्रश्न को हल करने के लिए कोई एक ऐसी मशीनरी नहीं बना दी जाती जिससे कि इस प्रश्न को निकट भविष्य में हल करने के आसार नजर आयें। अब दोनों देशों की इस पृष्ठभूमि में ताशकन्द घोषणा को देखिये। ताशकन्द घोषणा ने उन दो बातों पर जोकि हमारे स्वर्गीय प्रधान मंत्री ने कही थीं उन दो बातों पर पहले अमल किया। (*Interruption*)

पाकिस्तान को मजबूर हो कर मानना पड़ा कि वे बलप्रयोग नहीं करेंगे। पाकिस्तान को यह मानना पड़ा कि वे घुसपैठिये नहीं भेजेंगे। लेकिन इस के दूसरी ओर हम देखते हैं कि जो पाकिस्तान की शर्तें थीं कि जब तक काश्मीर के प्रश्न का हल न हो या उसे हल करने के लिए कोई ऐसी मशीनरी की व्यवस्था न हो जिससे कि इस प्रश्न के निकट भविष्य में हल होने के आसार नजर आयें, उसकी कहीं कोई इस में बात नहीं है। (*Interruptions*) अगर माननीय सदस्य बारबार मुह खोलने के बजाय कान खोलें रहें तो फायदा हो।

आज हम स्पष्ट रूप से यह देख रहे हैं कि ताशकन्द में इन दो बातों पर जिन पर कि हिन्दुस्तान ने बल दिया था और हमने सदन में यह प्रतिज्ञा की थी, इस सदन में स्वर्गीय प्रधान मंत्री ने कहा था कि जब तक यह दो शर्तें पूरी नहीं होती हैं तब तक हमारी

[श्री भागवत झा आजाद]

फौजें पीछे नहीं हटेंगी वह हमारी दो शर्तें तो पूरी हुई लेकिन पाकिस्तान की शर्त पूरी नहीं हुई । पाकिस्तान के राष्ट्रपति ने बार बार यह घोषणा की थी कि जब तक यह काश्मीर का प्रश्न हल नहीं होता या उसके हल के लिए कोई उपयुक्त मशीनरी स्थापित नहीं की जाती जिससे कि उसके निकट भविष्य में हल होने के आसार नजर आयें, जब तक उनकी यह दो बात नहीं मानी जातीं तब तक वह फौजें अपनी पीछे नहीं हटायेंगे । उनकी वे बातें नहीं मानी गई ।

उपाध्यक्ष महोदय, मुझे तो यह देख कर बड़ा आश्चर्य और दुःख होता है कि इस सदन में कुछ ऐसे सदस्य मौजूद हैं जो कि समझते हैं कि उनके देश के एक अविभाज्य अंग काश्मीर को या उसके एक भाग को सौंपा गया है । मुझे इस तरह का विचार रखने वालों की बुद्धि पर तरस आता है और आश्चर्य व दुःख होता है कि ऐसे लोग भी मौजूद हैं । वास्तविकता तो यह है कि इस घोषणा ने एक बात तो यह मानी कि कहीं बल प्रयोग नहीं होगा दूसरे यह कि घुसपैठियों को यहां अन्दर नहीं आने दिया जायगा । इस सम्बन्ध में मैं ताशकन्द डिक्लेरेशन के आर्टिकल तीन की ओर आपका ध्यान आकृष्ट करना चाहता हूं जिसमें यह कहा गया है कि पाकिस्तान ने यह मंजूर किया कि हम भारत के आन्तरिक मामलों में हस्तक्षेप नहीं करेंगे । ताशकन्द में हमारे स्वर्गीय प्रधान मंत्री ने, हमारे विदेश मंत्री ने और हमारे रक्षा मंत्री ने स्पष्ट शब्दों में कहा कि काश्मीर भारत का अविभाज्य अंग है । काश्मीर भारत का अविभाज्य अंग है इसको जब पाकिस्तान ने भारत के आंतरिक मामलों में हस्तक्षेप न करने की बात को मान कर इसे स्वीकार किया कि हम इस देश में घुसपैठिये नहीं भेजेंगे । इसलिए आज यह कहना कि घुसपैठियों के आने का दरवाजा बन्द हुआ या नहीं हुआ तो मेरा कहना है कि ताशकन्द डिक्लेरेशन के आर्टिकल थ्री के तहत इस बात की पूर्ति हो गई है । अब यह बात दूसरी है कि अब कोई भी राष्ट्र किसी एक घोषणा में शामिल हो कर फिर उसका उल्लंघन करने लगें । संसार में इस तरह के बहुत से उल्लंघन होते हैं । अब पाकिस्तान जिसने कि 18 वर्षों से यह भारत विरोधी नीति अपनाई हुई हो उसने अगर ताशकन्द घोषणा को माना, उसने इस बात को माना तो हम उस की ईमानदारी पर विश्वास करते हैं जिस तरह कि आप आशा करते हैं कि आपकी इमानदारी पर और लोग भी विश्वास करें । अगर इस वक्त उसने अपने कथन पर अमल नहीं किया, घोषणा जिसे कि उसने स्वीकार किया है उसके अनुरूप उसने आचरण नहीं किया तो जैसा जवाब हमने उसे भूतकाल में दिया है वैसा ही जवाब हम उसे आगे भी देने से नहीं चूकेंगे ।

उपाध्यक्ष महोदय, अब प्रश्न यह उठाया जाता है कि काश्मीर पर इसका क्या असर होगा ? हमारी प्रधान मंत्री श्रीमती इंदिरा गांधी ने एक बार नहीं बार बार यह कहा कि इसका काश्मीर पर कोई असर नहीं होता है । यह इस घोषणा में है । यह उन्होंने कहा कि काश्मीर भारत का अविभाज्य अंग है और यह रहेगा । उसके बाद प्रश्न उठाया जाता है कि सुरक्षा पर उस का क्या असर होगा । यह बात स्पष्ट है कि हमारे इस पड़ोसी ने जहां उसने इस समझौते पर हस्ताक्षर किये हैं हां हमारी सीमा पर दूसरी ओर चीन है जिसकी कि साम्राज्यवादी और विस्तारवादी नीति और जिसकी कि आंख हमारी दौलत पर और जिसके कि दांत हमारी सीमाओं पर है इसलिए स्पष्ट है कि हम अपने देश की सुरक्षा सम्बन्धी तैयारियों में कोई भी कमी नहीं करेंगे । हम जानते हैं कि सुरक्षा की इस तैयारी से हमारी आर्थिक प्रगति में रुकावट आयेगी लेकिन अपने देश की सार्व-

भौमिकता, अपने देश की अखंडता, अपने देश की प्रतिष्ठा और सम्मान के लिए हम सदा तैयारी करते रहेंगे । ताशकन्द योजना के अन्तर्गत हमारी सुरक्षा पर कोई असर नहीं पड़ता । इसलिए हम देखते हैं कि यह तीन, चार प्रश्न जो हमारे कुछ माननीय सदस्य यहां पर या बाहर जनता के दिमाग में देते हैं जैसे कि काश्मीर पर क्या असर पड़ेगा, सुरक्षा पर क्या असर पड़ेगा और घुसपैठियों पर क्या असर पड़ेगा यह तमाम प्रश्न बेदलील और निराधार हैं । इसलिए इन प्रश्नों को भुलाकर यह देखिये कि इस ऐतिहासिक घोषणा की वास्तविक सफलता क्या है ? मैं इस को मानता हूं कि ताशकन्द घोषणा युद्ध का आवाहन नहीं है बल्कि यह ताशकंद घोषणा शान्ति का आवाहन है । इस पृष्ठभूमि में देखते हुए जहां देश के प्रधान मंत्री ने अपने देश की रक्षा के लिए अपनी फौजों को हुकम दिया कि तुम आक्रामक का मुकाबला करो आज उनके लिए यह कहना कि इस देश के उस महान प्रधान मंत्री ने किसी दबाव के अन्दर आकर अपने देश के किसी भाग को दिया इस से बड़ी शर्मनाक बात और कोई नहीं हो सकती है । उस महान् आदमी ने और उस महान् सेनानी ने न केवल इस महाद्वीप में, एशिया महाद्वीप में शांति के लिए अपितु सम्पूर्ण संसार में शान्ति रह सके उसके लिए उन्होंने एक सक्रिय योग प्रदान किया और उस दृष्टि से उनकी इस घोषणा का हम आदर करेंगे । जिस शान्ति को उन्होंने यह घोषणा करके बल दिया है उसको हम आगे बढ़ाने की चेष्टा करेंगे । यही उस दिवंगत महान् आत्मा के प्रति हम लोगों की सच्ची श्रद्धांजलि होगी । साथ ही जो हमारे देश की सुरक्षात्मक तयारियां हैं उनमें ढील न आने पाये और हम उस दिशा में हिम्मत और मुस्तैदी के साथ आगे बढ़ें । हम प्रसन्न हैं कि हमारी सरकार ने आपस के यातायात, आपस की जो ट्रेड है और आपस के जो कूटनीतिक आदि के सम्बन्ध हैं उन सम्बन्धों को उन्होंने ठीक कर लिया है । हम चाहते हैं कि इस घोषणा के अन्तर्गत जो उच्चस्तरीय वार्ता होने की बात दोनों सरकार के बीच में कही गई है वह परस्पर वार्ता की जाय हम जानते हैं कि हमारे देश के सामने प्रश्न है कि संसार में शान्ति स्थापित हो, पड़ौसी राष्ट्रों के साथ हमारे मैत्रीपूर्ण सम्बन्ध हों और साथ ही हम अपने आधारभूत सिद्धान्तों पर कायम रहें । हमारे स्वर्गीय प्रधान मंत्री, पंडित जवाहरलाल नेहरू, ने पिछले वर्षों में इस देश को क्या दिया ? उन्होंने हम को ये सिद्धान्त दिये कि हम संसार के तमाम प्रश्नों का शान्तिपूर्ण समाधान चाहते हैं और हम शांन्तिपूर्ण सह-अस्तित्व में विश्वास करते हैं । मैं समझता हूं कि पंडित जवाहरलाल नेहरू ने इस देश को जो आदर्श दिये, श्री लाल बहादुर शास्त्री ने ताशकंद में इस घोषणा पर हस्ताक्षर कर के उन को मूर्त रूप दिया । इसलिए इस देश का, इस संसद् का और यहां की जनता का यह परम् कर्त्तव्य है कि हम इस घोषणा का स्वागत करें । हम नहीं चाहते कि हम अपनी फौजों को सीमाओं पर खड़ा रखें । हम चाहते हैं कि जहां हमारे देश की सुरक्षा की पूर्ण व्यवस्था हो, वहां हमारे देश में आर्थिक प्रगति भी हो ।

16.01 hrs.

[SHRI SONAVANE *in the Chair*].

सारे संसार ने इस घोषणा का स्वागत किया है । हमारे परम् मित्र, सोवियत प्रधान मंत्री, श्री कोसिजिन, के समक्ष पाकिस्तान ने कुछ प्रतिज्ञायें और वादे किये । हम उन प्रतिज्ञाओं और वादों पर विश्वास करते हैं । अगर इसके बावजूद इन प्रतिज्ञाओं और वादों पर अमल नहीं किया गया, तो निश्चय ही हमारे देश की सुरक्षा तैयारी बराबर हो रही है । निश्चय ही हम कभी उस बात से पीछे नहीं हटेंगे, जिस को करने से हमारे देश की सार्वभौमिकता, अखंडता, प्रतिष्ठा और सम्मान की रक्षा होगी । अस्तु,

[श्री भागवत झा आजाद]

हम चाहेंगे कि ताशकंद की ऐतिहासिक घोषणा का सम्मान किया जाये, इस का समर्थन हो और इस के अनुसार वे साहसिक कदम उठाये जायें, जिन के द्वारा इस उप-महाद्वीप में शान्ति हो ।

हम प्रधान मंत्री के उस विचार का भी स्वागत करते हैं कि हम चीन के साथ भी शान्तिपूर्ण सम्बन्ध चाहते हैं । यह विचार प्रकट करने के साथ साथ उन्होंने यह भी कहा कि ऐसी कोई बात नहीं की जायेगी, जिस से हमारी प्रतिष्ठा पर आघात हो । अगर चीन कोलम्बो प्रोपोजल्स को स्वीकार करे और अपने आक्रामक रवैये को छोड़ कर शान्ति वार्ता करने के लिए तैयार हो, तो उसके साथ शान्ति की बात-चीत की जायेगी। हम चाहते हैं कि ताशकंद घोषणा के अन्य कदमों पर विचार किया जाये । साथ साथ अगर चीन भी सम्मानजनक समझौते के लिए तैयार हो, तो उस पर भी विचार किया जाये। इस बारे में हमारे प्रधान मंत्री साहसिक कदम उठायें ।

इन शब्दों के साथ हम इस महान् घोषणा का, अपने स्वर्गीय प्रधान मंत्री, श्री शास्त्री, की धरोहर का स्वागत करते हैं और उसका समर्थन करते हैं ।

Shri U. M. Trivedi: Mr. Chairman, Sir, the discussion which we are entering upon today will have a far-reaching effect on the future of our country. This morning I raised a point of order, which unfortunately the Speaker was pleased not to decide. I am not here at this stage to reiterate the same arguments, but I would like to analyse the statement that has been presented by the minister.

You konw there is a saying in the world that you can wake up a sleeping man, but you cannot wake up those who are already awake. The government knows fully well what folly it is committing and it is no use pointing out that their action is foolish or silly. On the face of it, this action is a wrong being done t this country. Nobody wants war. We in India never wanted war, but it was thrust upon us and Pakistani forces were held at leash against us for 18 years. We gave them a taste of our power. It is only when they tasted the rebuff that they went about seeking some mediator and played upon the sentiments of the world at large that there should be peace. It was the peace of the hypocrite, not the peace of an honest man. We offered them a no-war pact times without number. But Pakistan never accepted it and we had to fight. We fought and taught them a lesson. But that was not enough in the sense that a crushing defeat was not imposed upon them. They wanted it, but we refused to give it. We never wanted to go the whole hog, with the net result that they thought it better to have a cease-fire. They are used to this term 'cease-fire'. We had an experience of this cease-fire in 1947. We are again having this experience now.

On 26th October, 1947, His Highness Maharaja Hari Singh of Kashmir signed his accession and the accession was accepted by us. How is it that I find in this Year Book of the United Nations of 1948-49 of the United Nations this statement:

> "At the Council's 230th meeting on 20 January a resolution was adopted..... Written proposals, submitted by the representatives of India and Pakistan, stressed the importance of a cessation of fighting and recorded agreement in principle on the desirability of a plebiscite to determine the accession of the State of Jammu and Kashmir to India or to Pakistan."

Did we enter into these negotiations with our eyes open or did we lack in foresight and lucid expression of our thoughts that this muddle has

taken place that the accession of Kashmir to India or Pakistan was a subject open for discussion? Our country has accepted the accession signed by 560 rulers in all and by the mere signature of these rulers, who were soverign *de jure* and *de facto*, the accession was full and complete. Why the accession of Kashmir was not full and complete passes my comprehension and the country is not prepared to believe it.

In October, 1949, the Constituent Assembly of Jammu and Kashmir passed the Constitution of that State declaring that that State shall be an integral part of India. What State? The State which was the Princely State of Jammu and Kashmir, with all its boundaries as they existed on 15th August 1947. That is what article 4 of the Constitution of Jammu and Kashmir states. So there is nothing ambiguous which is left. I do not know why ridicule has been thrown against this Constitution and in his arugment, one of the hon. Members said that it is foolish on the part of anyone of us to consider that that part of Jammu and Kashmir is—to quote his own language—

"अविभाज्य अंग भारतवर्ष का है।"

It is. There is no doubt in my mind that every part of Jammu and Kashmir territory is an integral part, an undivisible part of India. If that conception persists—and that is the only conception which has been repeated in this House over and over again—then even for a moment we cannot give up the territory which belongs to us, which has been recovered by us, which has been taken from the thief. I as a lawyer, Sir, have never come across a single case when stolen property recovered by the police or by our own efforts is given back in the court to the thief. That is not the law, that cannot be the law and even the ordinary law is against that. How is it that this territory belonging to us—Kargil, Tithwal and Haji Pir—recovered by us by force is being given over today? I do not for a moment say, do not give back Sialkot, do not give back Lahore. No, I will not stand in the way of your doing that for the sake of treaty, good conscience, justice and equity. We are bound to, when we come to terms, give back Sialkot and Lahore and get back Chamb and Khemkaran. But, Sir, it cannot enter in my mind for a moment, it cannot fall from my mouth even for once that Haji Pir, Kargil and Tithwal can be given back. They cannot be given back

Why has Government furked in doing the right thing? They should have come before this House. They have got an absolute majority. Just as they passed a law for giving away Berubari, just as they passed an Act under article 368, they could have moved a resolution this House Let it be decided whether or not the country will tolerate this decision to give away this territory of Haji Pir, Tithwal and Kargil to Pakistan.

Sir, arguments have been advanced. When the point of order was raised, my hon. friends from the Communist Party, very enlightened and intelligent people, committed this mistake of not supporting the point of order, because everything that comes from Russia is good for them, everything that comes from America or Great Britain is bad for them and everything that comes from India is foolish. I should say Sir, that that attitude must be given up. We are here to take a detached view. We are sitting in this House after having taken the oath under the Constitution. It is our duty to interpret it, interpret it rightly, fairly, squarely and justly. If we interpret it in that way, is there any other meaning possible for the language used here in this Constitution? If that is the position, how is it that we are giving up his territory, and what are the circumstances under which we are giving up this territory?

[Shri U. M. Trivedi]

Let us see this whole Tashkent show. We remember, on 20th September, before the cease-fire the hon. Prime Minister, the late lamented Lal Bahadur Shastri, told us that he one and only reason which made him ultimately agree to this cease-fire was this, that he had a letter from Soviet Russia, from the Prime Minister of Russia. He had a telegram from him.

Shri K. C. Sharma (Sardhana): It is doubtful.

Shri U. M. Trivedi: It is not doubtful coming from me, it is doubtful coming from you.

The question is this. When the hon. Prime Minister, Lal Bahadur Shastri, went to Tashkent, he was accompanied by our Minister of External Affairs and our Defence Minister. They are wise men in their own way, but it requires a great deal of firmness in the mind of a man to stand up o *goondaism*. What was actually happening was, President Ayub Khan was talking one thing and Bhutto on the other hand was talking another thing. We were badly let down by the foolish, incompetent propaganda that was carried out and the incompetent publicity that our country received in Britain and America. It appeared, on the face of it, that they had given up giving proper aid to us.

The only friend that we could point out was this friend who had the occasion of vetoing certain decisions in the UNO. To that friend we looked and to that friend we went. Every day from the 4th onwards, news was coming into India day in and day out, morning and evening, in the radio to which we listened, disclosing this state of affairs that there was no possibility of coming to an agreement because Kashmir was not to be discussed. This pivot of Kashmir was there which prevented the talks from coming to a successful end. This went on till the morning of the 10th. What happened on the 10th, I do not know and nobody has told this House as to what happened on the 10th, that suddenly news is flashed out in the evening saying that we are all happy that the agreement has been signed The hon. Minister of External Affairs, Shri Swaran Singh, was pleased to say that this was drafted on the 9th night and morning of the 10th. If that was so, why was it that in the news that was flashed out from Tashkent in the morning of the 10th it negatived any idea about the Tashkent agreement?

Sir, what was the pressure that was being brought on him. We were not there. We do not know what pressure was brought upon our late Prime Minister. He was not a man who would easily yield to pressure. He was a firm man, a man with his own ideas, although a mild man, a docile gentleman but a man with a will. To bring him down they had to carry on propaganda not for one day, two days, three days, four days or five days but for days together, and ultimately the pressure was felt. What was that pressure. It was poured into his ears that we had no rifend left, our only friend was Russia and therefore he should not discard the advice given by Russia. That was poured into his ears.

An hon. Member: By whom?

Shri U. M. Trivedi: Whosoever was there. I was not there. Who poured that into his ears you have to judge for yourself. When that was poured into his ears, naturally, at the last moment....

An hon. Member: You should make it clear.

Shri U. M. Trivedi: The hon. Member can clear it when I have finished. When the whole question was being put under that pressure and that kind of advice which was available to him from those who were present at the

last moment, the man felt it. This morning, Sir, making a statement in the House about the sad demise of the late Prime Minister, the Minister of External Affairs was pleased to say that after he had signed it they saw that he was relaxed. I do not know what he means by the word 'relaxed', when he says that the man with a will even in the worst calamity felt relaxed and wanted to show that he was relaxed. The question is whether he was mentally worried, whether that mental worry was weighing upon his mind. One who had asserted in this House over and over again, before the Members of the Opposition whenever they had an opportunity of meeting him, that he will not give up on this point and there was no getting out of Haji Pir, Kargil and Tithwal, he felt relaxed after this agreement. I remember an occasion when my hon. friend, Shri Bagri, asked him how it was that if he does not give up on this question he agreed to the cease-fire he said: यह तो भाई एक तिकड़म है ।

These are the words which he repeated and we were satisfied that there is our Prime Minister who is not willing to give up any territory. From that gentleman it was least expected that he would give up. Therefore, whatever be the denial, I am not prepared to believe for a moment that pressure was not put upon him to agree to this.

The question asked by the people is this. Are we going to rest on the belief that by virtue of this Tashkent Agreement we will have peace? Are we day-dreaming? For 18 years we have experience of Pakistan.

श्री बड़े : घुस पैठ की गारेन्टी भी नहीं दी ।

Shri U. M. Trivedi: Leaving aside *ghus paith*, how long are we going to suffer from the hatred that has been put up against us? Was it well received in Pakistan? Was this Treaty of Tashkent well-received in Pakistan? It was not. Was the arch—I do not want to use the word criminal—was the arch offender, in this case, Shri Bhutto, satisfied? No, he was not satisfied.

An hon. Member: Just as you are not satisfied.

Shri U. M. Trivedi: Yes, you are right, perfectly right. I am not satisfied and the country is not satisfied. It is only people like you, who have nothing to gain or lose, that will be satisfied with this agreement.

Shri Sheo Narain (Bansi): We are not going to join the Bagri school.

Shri U. M. Trivedi: All right. The question is this. On that day, when all of you clapped—it was reported in the press; I did not see it because I was not present here—I do not know whether you also clapped your hands.

Mr. Chairman: The hon. Member should address the Chair.

Shri U. M. Trivedi: I am sorry. It so happens that the Minister is sitting opposite to me. I would be pleased if my friend, Shri Swaran Singh, tells us that he also did clap. This was what was reported in the press. I can only repeat what I read, because I was not present here then.

The enmity, hatred, aversion to India's progress, which is deep-rooted in Pakistan is still there. It has not gone away. There is only one method of dealing with it—either engendering love or engendering fear. As it is not possible to engender love, we have to engender fear. We have miserably failed in achieving that particular aspect of creating fear in the mind of Pakistan. We have not been successful there. I do not say that we have to fight. I do not want to fight for the sake of fight because I know the horrors of war. Each one of us understands the horrors of war. Nobody is preaching war and I am not a war-monger. But as a practical man in life I know that there are only

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two ways in which we can deal with a person or country. Therefore, when Shastriji went from here he said "there will not be one Tashkent but many Tashkents". But one Tashkent took away the life of that great man.

Mr. Chairman: The hon. Member's time is up. He has already taken 20 minutes.

Shri U. M. Trivedi: I will take two more minutes.

At one time the London Times wrote "the load-stone of every aspect of Pakistan's foreign policy is bad relations with India". Has that load-stone changed? I ask for an assertion from our Minister of External Affairs "has that load-stone changed"? I will be very happy, nobody will be happier than myself, if it is so. I do not want war, I repeat. The demonstrations that have been held by the Jan Sangh are demonstrations not to bring about war or demand war from you. They are only to strengthen your hands. They are only to give expression to the feeling on the part of the public at large that the giving up of Kargil, Tithwal and Haji Pir is not liked by the people.

Therefore, I say that if with all the prudence that you can show, with all the logic that the Government can show, with all the courage that you have in your hands you come to the conclusion that you want to give up Kargil, Tithwal and Haji Pir, then bring a Bill before this House, have it debated in this sovereign Parliament so that the determination and will of Parliament is ascertained and get it passed by the majority that is required under article 368 if you want to give up that territory. In that case, I will be satisfied. That is all what I want, nothing more. I do not approve of the method by which you want to hand over a portion of our territory. As such, the Tashkent agreement is not approved of by me, by the country and shall not be approved of for all times to come.

Shri Krishna Menon (Bombay City North): Mr. Chairman, when on the Republic Day our Prime Minister told this nation and the world regarding the declaration at Tashkent that it would be implemented in full, in spirit and in letter, she was not only, in my view, declaring and reiterating an important piece of Government policy but reflecting the sentiments of the overwhelming majority of our people. That, however, casts upon us certain responsibilities. When we say that the declaration should be implemented in letter and in spirit, it is important that we should try to think in our own-minds both the genesis of this declaration, its implications and also what part peoples played in this. I intend no lack of enthusiasm about this declaration when I say that in all international agreements, on the one hand a romantic approach and on the other a cynical approach is shown; that is to say, expectations are aroused, as was the case in Bandung. But, then, there are ups and downs in all international relations, I have often heard it said that this is a declaration of intent. I would like to say with great respect to our Prime Minister that I hope she discourages this attitude towards it. This is not a declaration of intent, but a declaration of a solemn resolve to pursue the path of peace, even with our bitterest enemies or those who mistakenly think that this country may submit to force of arms of their own or other peoples'.

This declaration has to be understood also in the context of not only our world relations but world relations in respect of this continent. As has been stated repeatedly, our relations with Pakistan and Pakistan's relations with us are a hang-over from the days of the empire. I do not want to go into the question of Low it came about, but there is no

doubt that even after the empire had folded down and even when we resisted its attempt to come by the back door, we have always had them around us. There have been a large number of talks with Pakistan, sometimes rounds of talks with the British or the Americans breathing down our shoulders. In the Tashkent Declaration, while I myself do not subscribe to the view that any particular country has either an excess or a monopoly of diplomatic skill, a departure is made in the sense that on the Asian continent there are other forces operating, that we function as two independent countries without the impact and the inhibition of past weight upon us. So, in this sense, it was a new departure, which draws a new outline of the political geography of Eurasia.

It is for the first time to my knowledge that conversation between pakistan and India had been really two-party mee.ings. The Tashkent Conference was not a three-party conference, as some people seem to think, but a two-party conference. The intentions of the Soviet Union, to my limited experience in negotiations with them, have always been that when there are two parties who want to come to an agreement, introducing a mediator does not always achieve the results. We had the same trouble in regard to Korea to convert them to this view and I think events have proved that probably they were right. Two parties that cannot see eye to eye with each other should be brought face to face to resolve their differences. So, Tashkent was more a forum, an area where we were the guests of the Soviet Government. That is why I say there was a two-party conference rather than a three-party conference.

There was no formula, no civil servants running around and whispering into our ears what we should say. There was no formula of any kind. So far as this Parliament's and the nation's criticism is concerned, all I have is this document. I do not have to ask Shri Chavan what someone said to someone else because at all international conferences so much would be said that is pleasant or unpleasant. We are only concerned about the results and those results are this extension of dimensions of international politics in this way which would have an effect not only on our country and on Afro-Asia but also on the new face of Latin America, where so many conflicts of this kind are taking place, and Vietnam or anywhere else. Ultimately the solution has to be found by keeping the older imperial powers out of interfering with them and seeing some fish in troubled waters that they can take away. This is one of the aspects which many people may regard as remote but no development of any country takes place except in the context of its international effects.

If there was anybody who thought that at Tashkent would emerge a master agenda or a complete solution of our problems, they were really thinking romantically. At one time the newspapers talked of a master agenda and I felt rather depressed because the moment you get on to the master agenda you only magnify all the difficulties that you have. The only thing we could have done was nibbling at things and removing whatever was there.

What was the purpose of this conference? The purpose was to create a climate of rapprochment, that is to say, a disengagement of some kind. We cannot look at this problem without looking at the fact that after the escalation of war efforts by our neighbour and after the conflict on a large scale—whether war was declared or not, there was conflict on a large scale—before and after Tashkent after the United Nation's resolution of 23rd September, we had a situation where—the Defence Minister alone can tell you—considerable elements of our fighting forces, our armour, our equipment and a considerable amount of our national energies were pitted one againt the other. We were on each other's territory and let it be

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said that the United Nations resolution did not bring cease-fire; it was cease-fire of a solution but the fire never ceased. There were thousands of violations, not few but several thousand violations, of the cease-fire agreement and it is up to any government to find out how do we disengage ourselves from this position. It was cease-fire without an armistice in sight; it was cease-fire without withdrawals and the only solution that was provided was that of sending of United Nations observers, whom we had for the last 19 years observing one side or the other, sometimes observing neither. Therefore there was no prospect of a disengagement in the immediate present and the disengagement that was to be brought about on the long cease-fire line was something which we required and they required if for nothing else to save the enormous amount of expenditure from day to day. Each day must cost crores of rupees to occupy somebody else's country. Therefore disengagement was necessary.

What I have said should not be taken in the way of thinking that this was a counsel—I would not call, defeat—of making the best of a bad job. That was not the position. After all wars and after all conflicts of any kind, this problem of disengagement is one of the most difficult which the Western nations have not been able to solve with all their armies of occupation all over the place with all the consequences that follow. As an exercise of disengagement, if nothing else, it has been rapid, conclusive and, if reports are right, in three or four days' time we shall get back to as-you-were in that way.

Then come the other aspects of it. As I said in the beginning, speaking for myself, I looked upon this Tashkent exercise even before they went there as merely an attempt to restore normality. We had broken diplomatic relations not officially but for all practical purposes. Now, we have come to their restoration under the Geneva Convention of 1961 which means that they cannot go and beat our people nor can we do the same. That is to say, a degree of civilised relationship will come about between the two countries. I do not subscribe to the view that because we have said we forswear peace, peace will be forsworn because that is part of the United Nations Charter, that is part of the general teleological doctrine of turning swords into plough shears. And nobody has turned them so far. But each time we repeat the sentiments, we add something to its promotion. So, the agreement to forswear force, to forswear use of force as such, and whatever our rights are, these are not to be accomplished by taking more initiative.

So far as we are concerned, we are committed not to fire bullets. That is to say, we will not take the initiative in war. Again, without any disrespect to the present performance, I would like to say that this is merely a reiteration, a development, an enlargement of the policies that we have either followed or we tried to follow all along. In this connection, it is also significant to quote the speech of the Prime Minister. It goes on to say:

> " . . .We have followed a policy of peace and friendship with all nations. Yet we reserve to us the right of fundamental opinion. The principles which have guided our foreign policy are in keeping with the best traditions of our country and are wholly consistent with our national interest. The fundamental principles laid down by my father to which he dedicated his life will continue to guide us . . ."

Now, that, I think, is what is basically to be considered. That is to say, there is no departure—I do not mean departure in the method—there is no basic departure from our aims and our objectives and our posture in international relations. People would say, I think, rightly, that it was quite unnecessary for India to declare that she will not use force, that she will not take the initiative in the use of

force. But it so happens, Mr. Chairman, in this world that however true something may be, in certain contexts it has to be repeated. And so we restore normalcy. Where it is diplomatic relations, they are being progressively restored. Where it is disengagement of troops, it is being done and it would be possible to cut down military expenditure on both sides and, I think, it would be very difficult in the present context for military alliances—we have none—to operate because people would be too shame-faced to do it in the face of Tashkent Declaration. So, even as a protective measure, it has considerable value.

We have also been able to, according to the Declaration, effect the restoration of personnel, not only the war prisoners but also those others whom we had interned. There are people who have relations on both sides, Hindus and Muslims by faith, whom we have interned and whom they have interned. They will be restored to their homes. There will also be restoration of ships and properties and all that which will promote economic relations. It is only truism to say that these two countries even during war times achieved this—what Governments don't do, the smugglers do; what good men don't do, the bad men do. That is how it is. Therefore, by taking this by the horns and by seeking to restore economic relations, as much as we can restore, we have also made a great advance in this direction. So, there is the restoration of normalcy creating those conditions which, I suppose, is what people mean by declaration of intent—I think it is a dangerous phrase to use because it looks as, "Yes, we intend to do so." But that will be a bad attitude to adopt for a country like ours in the face of the world because it would mean we were talking of peace with the tongue in our cheek. We always say, we have peaceful relations with Pakistan. There is no episode in our history for the last 17-18 years where at any time we have taken initiative in regard to force. On the long frontiers of land that lie between ourselves and Pakistan, we have not taken initiative in regard to force. The position remains exactly as before.

What about the Tashkent Agreement with reference to Kashmir? I think the best thing for me would be if the friends opposite don't mind, to intervene on the debate that has been raised this morning. I think, we should understand the constitutional aspect of this not only for constitutional purposes but also for political purposes because if we raise dust on this, it will go against us. It is said that because we withdrew from Kargil or from Haji Pir or from Tithwal, thereby we had committed some constitutional impropriety. If I may say with great respect, is it not saying that it is only upto Haji Pir that India extends? But our position has always been that the cease-fire line between India and Pakistan is not an international frontier and so, whether we were five miles or 10 miles forward, it does not matter. Our position is that Haji Pir is in Indian territory. When we cross the cease-fire line, it does not mean that we are leavig the country. The country is ours. Therefore, if people say that because of withdrawal from Haji Pir or whichever place you like to take, we have surrendered our sovereignty, it is total misunderstanding not only of international law but also a disservice to political commonsense.

The United Nations is committed to us in regard to the recognition of the entire territory of Jammu & Kashmir and let there be no mistake about it. There are some people who whisper that the Soviet Union will do this or will do that. That is only a kind of inverted submission to imperialism. Neither the Soviet Union nor the Soviet Union's ancestors can prevent us from asserting our sovereignty. There is no reason to think that the Soviet Union is going to press anybody. Their policy on Kashmir remains unchanged, that is to say, they

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respect the position that the entire territory of Jammu & Kashmir, i.e., the land, the lakes and mountains which were under the suzerainty of the Maharaja of Jammu & Kashmir is part of the Indian territory. I think it is a mistake to think that, because in the last eighteen years, some villages have been taken or some small areas have been taken, the position will change. There must be a distinction in our minds between administrative control and *de facto* occupation. Sovereignty is *de jure*. Sovereignty is the right of the people over a territory in law. Therefore, there has been no abrogation of sovereignty and speaking for myself, so long as there is life in this nation, will be no abrogation of our sovereignty to Pakistan or any other country.

Reference has been made to Berubari. That is entirely a different question. There the issue was not surrendering an Indian territory. There were grave doubts as to whose territory it belonged to. There were all sorts of negotiations of various kinds. As a measure of abundant caution, at that time the Government of the day, after a series of discussions, decided to refer the matter to the Supreme Court because they did not want that, after handing over the territory, the Parliament should pass a censure or create difficulties which would make Pakistan say, "they have given to us, but they have actually not". As a measure of abundant caution, the matter was referred to the Supreme Court and the Supreme Court said, "you can give any territory you like but you pass a Bill through Parliament". Where the sovereignty is doubtful you take the precaution of regularising matters. So no question of constitutional impropriety arises. But a certain amount of political—I would not call it impropriety—something arises in this. If we keep on saying that because Pakistan is occupying the territory, it is theirs, then we are saying that all the areas which are under occupation by Pakistan in the last eighteen years, belong to Pakistan. We cannot subscribe to the theory that because aggression lives long, it makes the party sovereign; because aggression lives long, it makes an empire; an empire is permanent aggression and so, if Pakistan lives there, it is Pakistan empire and the only way to deal with the empire is to break it. Therefore, our position has always been this—not only ours but the position conceded by the United Nations when they told us that these are called northern areas; Pakistanis were there at the time of cease-fire....

Shri Bade: That was not the question raised in the point of order. The question is: when we have occupied it, how can we give it up.

Shri Krishna Menon: I am not, not, usually, a person who yields.

Mr. Deputy-Speaker: He is not yielding.

Shri Bade: He has not taken the monopoly for political commonsense.

Shri Krishna menon: So far as occupation is concerned, our Army has moved to Lahore sector. Does it mean that Lahore becomes part of India? Because troops moved and physical occupation takes place, you do not concede sovereignty. I will give you international instances. For example, take the whole of South West Africa. Over South West Africa, the Government of the Union of South Africa has been the Government ever since 1921; that is to say, they took over the mandated territories in 1919, and in 1921, they gave citizenship to the people of South West Africa. But the League of Nations protested. Even today, we hold the view that South West Africa is not South African territory. Every trust territory in the world is administered and fully administered as an integral part

of the metropolitan country; but the fact of administration does not confer sovereignty. In fact, all trust is based upon the idea that the administering people have no sovereignty.

Therefore, I say that it is not in our interest to raise this kind of thing; doubts may be raised either about the political or military or strategic or tactical or moral or other wisdom about withdrawing from these places, but you cannot question its constitutional propriety. Constitutionally we have surrendered nothing. I think that it is a mistake for us to say to the world that because we are withdrawing from a particular place it would go to somebody else, for, by that logic all those areas which are now called Azad Kashmir, the northern areas, as I said, of Gilgit etc. would thereby by efflux of time come under the sovereignty of Pakistan.

So, I would only express the fact that our people are happy that there has been a disengagement in regard to this conflict. Of course, there are many obstacles in the way. Particularly, for example, some people have asked 'Are the Pakistani people in favour of it?'. How do we know? The Pakistan Government is not like ours. Therefore, we can only say what the Government says. And besides, this is good international practice to take the Government as representing the people Constitutionally, the system is such that we have no method of ratification of treaties, but our Government is a popular government, and if it acts against the interests of the people, the only way is to throw out the Government; but this Government is not going to be thrown out; and therefore they speak in the name of Parliament and they speak in the name of the people, and then an agreement is reached; they had the interests of the country in mind and the negotiators went with the goodwill of this House and there has been no change in regard to that.

The cease-fire line between Pakistan and India in Kashmir is not an international boundary, never was and it will never be. If anybody tries to make it an international boundary, then the question of constitutional propriety arises; then the other side of the cease-fire line would become another nation. I say, speaking for myself that neither this Parliament nor its successor Parliaments to come will ever agree to the surrender of sovereignty so far as that is concerned. In practical terms, it means that even at some future time, maybe, ten or fifteen or twenty or even fifty years later, whenever they want, when democratic processes operate, when industrial development takes place and those areas which are now colonially occupied by Pakistan desire to come over to us, the question of international propriety would arise; and there, we cannot surrender on this question. And there has been no surrender at all.

Therefore, I would conclude by saying that so far as the Tashkent Declaration is concerned, the things remain as they were in 1949 with all the assurances given to us by the United Nations, including the one given at that time that it was our responsibility to maintain law and order, including our right to keep garrisons in Gilgit; all those assurances are not changed. Besides, in the Tashkent Declaration itself, there is also a reference to a chapter in the UN Charter. If that is so, then the future relations must be governed by these positions and by the general concept of international law.

It is wholly important that in negotiations and talks that take place, both the Parliament and the people and the Government should be extremely vigilant in the sense that we do not slip into something or the other, and if there would be further prolonged discussions in the UN on these matters—because that is the only place where they go—we do not shift from our position.

The only way of resolving the problem of Kashmir is for Pakistan to vacate the aggression and that vaca-

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tion of aggression is facilitated by this. For, on the one hand, we have told them that aggression does not pay, and on the other hand, we have been prepared to adopt peaceful methods, and, therefore, even the vacation of aggression may be possible because of that. That in my submission is the significance and the lesson of the Declaration of Tashkent.

Mr. Chairman: Acharya Kripalani.

Shri J. B. Kripalani (Amroha): I had requested that I may be called tomorrow.

Shri Surendranath Dwivedy: Mr. Chairman, I have listened very patiently to the speech made by the External Affairs Minister while moving this motion. I have also gone carefully through the voluminous papers circulated to us on this matter. But I do not find a single explanation either in the speech or in the papers showing how this Tashkent Declaration is different from what the Security Council had offered to us in its resolution of September 20. What was there unacceptable in the terms of the Security Council Resolution although we were prepared to go out of our way to accept this Taskent Declaration? How is it different? The only difference seems to be that whereas the Security Council Resolution had stated that the withdrawals would take place within three months, here in the Tashkent Declaration we are staggered to find that within six weeks of the signing of the declaration we should withdraw from these areas.

It has often been contended that this Tashkent Declaration is a new charter for peaceful relationship. I would support it if it is a charter actually opening the way for establishment of peaceful relationship between India and Pakistan. Nobody in this House has ever advocated that we should always go to war, that war is the only method through which such problems could be solved. Rather we want to develop friendly relationship with our neighbours, specially Pakistan, Burma, Ceylon, Nepal and other countries. But what is this declaration? After all, if we had accepted the UN Charter, it is an established authority; all nations are represented on the UN. However slender and powerless it may be, it has some authority. But here it is a declaration.

16.54 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

It is neither a treaty nor a pact. If there are differences in interpretation, I do not know who is going to decide which side is right? In view of this, this declaration is nothing but a promise by both countries under certain circumstances. Let us not be emotional. I would have liked Shri Swaran Singh not to refer to the late Prime Minister and tell the House that this is his last gift. If you want to introduce such considerations into this matter, what about the lives of thousands of jawans who had died on the war front? Are they of no value in this land? So do not talk about the death of Shastriji or others. Rather, I will not be wrong if I say that Shri Swaran Singh and Shri Chavan are not right when they say that after signing the declaration Shri Lal Bahadur Shastri felt relaxed. If he felt relaxed, is it not a fact that at 10.30 that night he telephoned to his house and wanted specifically to know what was the reaction of the people to the signing of the declaration? It was because he was worried.

An hon. Member: Not at all.

Shri Surendranath Dwivedy: He had given this promise to this House, not only to this House, but to the public in his speeches outside, that whatever happened we were not going to withdraw, from our own areas, specially Haji Pir, Tithwal and Kargil. He had told us when we met him, "The entire world may go against me

but we are not going to withdraw from our own areas." We had the opportunity to meet him on the 1st of January before he left for Tashkent. He told us that the Security Council resolution, to which Russia was a party, had asked us to withdraw from these areas, that Russia was our only friend and that if Russia in this conference asked us to withdraw from these areas, he would feel embarrassed. That embarrassment had caused him ultimately,— you may call it pressure or not—the threat that Russia would withdraw its support, the threat that from America, Britain and other western countries we are not going to get any economic or any other aid, caused him ultimately to sign this declaration, and not considerations of our national security and our national interests. I maintain this. If I for a moment can believe that this declaration has been signed in the best interests of our nation, for preserving the national security of our country, for contributing peace to the world, I will be the first man to support a declaration like this, but nothing like that. I have no time to quote the speeches made by authoritative persons, Ayub Khan, Bhutto, interpreting it in a manner different from what has been painted before us by these documents. Bhutto is not prepared to admit even this much, that this is a turning point in the history of Indo-Pak relations. He has stated:

> "The Tashkent declaration was not an end in itself and could not itself represent the turning point in Pakistan's relations with India."

It may be argued that, after all, Bhutto is not Pakistan. If Bhutto is not Pakistan, then Swaran Singh is not India. There is no difference between Bhutto and Swaran Singh. We must take them as one and the same. we must not choose between them.

Therefore, what I say is that this declaration is nothing but a scrap of paper which has no validity. If this House rejects it, it does not necessarily mean that cease-fire ceases to exist, it does not necessarily mean that we go to war immediately or start hostilities; it only means that we are not going to withdraw from positions which will ultimately put us into greater difficulties. It would have been proper for them, for Shri Lal Bahadur Shastri, in view of the promise and the pledge that he had given to the people and the House, to say there that they could not agree to this without putting this matter to Parliament. They have a majority, and they could get it passed, but it would have been proper for them to say that since Parliament was committed to a position, they would not agree to this, they would not do this unless it was discussed and ratified in Parliament. From that point of view, it is a breach of trust, and I do not think anybody in this country is hereafter going to believe the words of this Government, after the way they have treated this problem, an international problem which affects our countrymen, affects the world, affects all of us.

Many things have been said about the points in the declaration. I am not going to quote and repeat what Shri Swaran Singh has said about promise given to this House by Shri Lal Bahadur Shastri. I am not going to quote his letter of 14th September to the Secretary General of the Security Council. But let us examine the conception of Shri Lal Bahadur Shastri and the Government of India regarding restoration of normalisation of relationship between India and Pakistan. In concrete terms, this has been stated by Shri Lal Bahadur Shastri in this House on 5th November, 1965. He has spelt it out only once. Whatever he might have had in his mind, he made this question very clear in his speech of November 5. These will be the conditions for restoring normalisation of relationship between India and Pakistan. He has stated:

> "If Pakistan wants an end to the present tense situation, let it first honour and respect the Cease-fire Agreement. Let it put an end to

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the daily violations of the cease-fire. Let it then withdraw its armed personnel from our territory and we shall also withdraw our troops from the areas under our occupation in Pakistan."

—not in Tithwal and Haji Pir.

"More important than any of these things, let Pakistan step the various things which it is doing apparently in preparation for a fresh trial of strength Let it stop the recruitment of irregular forces in Pakistan-occupied Kashmir. Let it put a stop to the digging of trenches and putting up of military structures which is going on at so many places just across the present cease-fire line.

Let it give up its attempts to acquire arms and ammunition. Let it release the goods, the cargo and the vessels it has seized. Let it also give up its collusion with China which is based only on a common hatred of India and is aimed at weakening and disintegrating this country. Let Pakistan, to put it briefly, first restore normal relations before we can discuss how to establish better relations."

17 hrs.

These are the conditions; they are the pledges given to this House. On this we have extended him support on this basis he went to Tashkent. We wished him God speed and said that let him achieve peace on these conditions. That is why we lent our support. It is not to come with something else and to tell us to accept something else. Can Mr. Swaran Singh say that these conditions had been fulfilled in the Tashkent declaration? Is there any word mentioned in it about the Chinese? Is there any word where it has been stated that Pakistan is going to abrogate its pact with China by which it has ceded 2700 square miles of Indian territory? Rather Mr. Ayub Khan has stressed on the 14th January that the relationship with China and all the other countries would remain the same as it was before. He has as asserted it. Therefore, there is nothing to show that these conditions have in any way been fulfilled. Mr. Swaran Singh has taken the trouble to explain to us chapters I, II and III which are really important so far as this declaration is concerned; they are the issues of the entire document. Here what is it that is new except saying that there was a categorical reaffirmation of the UN Charter? Was the UN Charter not existing before the Pakistani attack? Is it not a fact that in spite of UN charter over the last seventeen years Pakistan has attacked us three times? How can you completely forget these things? What has Mr. Ayub Khan to say? Ayub Khan has made no secret of his intentions. He is honest in that respect. We are again running after a mirage; we are building our own image. We do not know what the other party is thinking. Is the Secretary General of the Security Council to come and explain that Pakistan is wrong and India is right? So far as interpretation is concerned, who would be the interpreter? Russia? Have we accepted this? It has played its part very successfully so far as its diplomatic and political influence is concerned in the world and in Asia in particular. That is a different thing altogether. Now, what has Mr. Ayub Khan to say? He has explained it quite lucidly. He has made no secret of his intentions. He did not sign a no-war pact. Mr. Lal Bahadur Shastri gave us a promise: my first condition will be signing of a no-war pact. It is explained to the House that this signing is also a sort of a no-war pact. If it is a kind of a no-war pact, if Pakistan was agreeable to that con-

dition, why Pakistan, why Ayub Khan refused to sign a no-war pact and readily signed this declaration?

He has stated:

> "The Indian Prime Minister wanted us to sign a no-war pact with India. We made it clear to him that Pakistan could not enter into any such agreement until the issue of Kashmir was settled in a just and honourable manner."

About the United Nations Charter, he has stated:

> "The responsibility means that nations should not resort to the use of force so long as avenues of peace remained open. We also told him that peace could be maintained only if the issue of Kashmir was settled in a reasonable manner. We stuck to this stand that the real issue was Kashmir and that peace could not be established between the two countries until the issue of Kashmir was settled."

That was very clear so far as this question is concerned.

Mr. Deputy-Speaker: The hon. Member's time is up.

Shri Surendranath Dwivedy: How many minutes have I taken, Sir?

Mr. Deputy-Speaker: 20 minutes.

Shri Surendranath Dwivedy: I would like to have 10 minutes more. I am putting forward a different view altogether. All speeches are being made in support of the declaration. So, you must permit me some more time.

Therefore, my point is, affirmation of the United Nations charter means nothing so far as Pakistan and this country are concerned. Secondly, it is quite clear that, charter or no charter. Kashmir is the crux of the problem. Unless the Kashmir problem is solved, nothing is going to bring about the peaceful relationship between India and Pakistan. In regard to the discussion of this problem, we say we did not discuss Kashmir. Even today, we stated our position. I want Shri Swaran Singh to explain to us. In Paragraph 1 of this document, there is the mention of Kashmir. It has been stated: "It was against this background." What is this background? If the background is not that we shall negotiate about Kashmir, what is this background mentioned here?

Then, much is made about non-interference. I would like to make two points about this non-interference in internal affairs. I think we are again committing a mistake, because, already the Foreign Minister of Pakistan has clearly stated that "the article referring to non-interference in each other's internal affairs did not apply to Kashmir because it was a disputed territory and was not an internal affairs of India." So, where is the question of guarantee that they will never cross the cease-fire line? Where is the guarantee? The only guarantee that has been achieved is, although our Foreign Minister earlier in this House stated that we would support Pakhtoon movement, now after signing this declaration we will not be able to extend our sympathy and support to the movement for Pakhtoonistan or East Bengal. The only thing that we have is that Pakistan will be free to send its men into Kashmir, which is a disputed territory according to Pakistan, and continue infiltration in that area.

The third thing that has been made out very much is the withdrawal of the armed personnel. Now, in this matter, we must again be very clear in our minds. It has been repeatedly asked in this House, what about infiltrators: and Shri Swaran Singh has failed to give any satisfactory reply. Has Pakistan given any undertaking whatsoever, that it will not be a party to any infiltration into Kashmir? No; nowhere has it given. Rather, the

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Pakistan Foreign Secretary, Mr. Aziz Ahmed, has said that the "term 'armed personnel' did not include the so-called freedom fighters of Kashmir." It is very clear. (*Interruption*). We are only expressing a hope; this hope has been belied so many times. This document remains beautifully vague so far as the commitment of Pakistan for sending infiltrators into India is concerned. Therefore, it is very clear.

I will again point out to the hon. Minister one thing. Here is the mention of phased withdrawal. The commanders of both the countries have met and they have decided to withdraw all armed personnel. I could have understood if in that phased withdrawal there was any mention that there will also be a phased withdrawal of all infiltrators. But there is nothing like that. The only thing that has been stated is this: part I of the agreement deals with the procedure concerning the immediate disengagement of troops; then he document deals with the reduction of tension; and then it relates to procedures concerning the withdrawal of troops from the occupied areas. There is no mention that the infiltrators are going to be withdrawn from Kashmir. Therefore, from this, it will be clearly seen that what has been claimed by our own representatives and our own Government is completely wrong from the facts that we have before us.

Then, I will again put it to him: we are withdrawing to August 5 position. I want to mention a point specifically. We had occupied Kargil because it threatened our lifeline; but we withdrew from that position because the United Nations gave us some guarantee! There is no guarantee; nobody has given us any guarantee. That cannot be considered to be the August 5 position. How is it that we have also agreed to withdrawal from Kargil?

Well, this agreement has been reached. We have bitter experiences of these agreements and pacts. There have been several pacts: the Liaquat Ali Pact, the Noon Pact, and lastly the Kutch Pact. Was not the Kutch Pact made for friendship and peace? All these things are said to us.

But what was the result? The consequence was greater military conflict. Let us not live in an image of our own and forget the realities of the situation. Our security is threatened. China, as we were told this morning by the Defence Minister, is already planning a major attack on the country. One does not know what is going to happen within three or four months, if Pakistan and China combine.

In view of this situation, it cannot be said that really by this declaration, we have achieved something which will contribute to peaceful relationship with Pakistan and maintenance of peace in our country, so that the economic progress of India goes on unhampered. It is perfectly right to withdraw from Lahore and Sialkot when they accepted withdrawal from Chhamb. But so far as other places are concerned, we should have waited because Kashmir is still threatened and it is still a problem to be decided. So long as the international frontier between Jammu and Kashmir and Pakistan is not decided, we should not have agreed to withdraw from those positions—that would have been the perfect thing to do.

We are prepared to extend our hand of cooperation. We want that peace should be maintained. We have always lauded the efforts of the late Prime Minister to bring about peace. But let Russia, America and all those friends who hailed the Tashkent Declaration as a great charter come forward and give an assurance that Pakistan is going to conclude a treaty of friendship and no war with India. Then we will have no occasion to go to war with Pakistan and we will live in peace. We are prepared to make as much sacrifice as is necessary to have peace in this world. But this declaration has taken us back to a position where we were

not on August 5th, but in July, 1951 when the cease-fire line was drawn. This is the tragedy of the situation. Whatever Shri Lal Bahadur Shastri achieved, he actually gave it with his death and India remains where it was before Shri Lal Bahadur Shastri assumed Prime Ministership of this country.

Therefore, I beg of the House: Let us not be carried away by emotions. Let us see whether this declaration is really subserving the best interests of the country and contributing to the security of the nation. From that point of view, let us here decide that we are not going to withdraw from these vantage positions, so long as this main problem—the real problem according to Ayub Khan—has not been settled.

Shrimati Renuka Ray (Malda): Sir, the last action of the late Prime Minister, Shri Lal Bahadur Shastri, was in the quest of pease. It was an endeavour to change the climate, so that peace and friendly relations would come in the end. The last speaker has been quoting from many speeches of the late Prime Minister. But I do not understand why he does not realise that it is in pursuance of what the late Prime Minister said himself that he came to this agreement in Tashkent. The Tashkent Declaration does not mean that enduring peace has been established, but it does mean that an atmosphere has been created, through which it is possible to come to solution which will ultimately lead to enduring peace.

What is the background against which the Tashkent meeting took place? It was after a conflict in which we were able to defend our land with ability, after which it was proved beyond any shadow of doubt that India and her army was able to cope with the invader, that the prestige that she had lost on a former occasion when she was unexpectedly invaded by China was restored. After this, naturally—it is known throughout the world that in modern warfare whether it is those who succeed in winning the war or those who lose it, ultimately both the nations and all such nations lose—what the war was costing us financially, whether it was India or Pakistan, was something which was destroying the economic life of the entire sub-continent. These are some of the factors against which we have to consider the Tashkent Declaration.

Sir, before I discuss clause (2) about which so much has been said, let us for a moment consider the consequences of this Tashkent agreement towards peace which will follow and which are written into it. The first one is the establishment of friendly relations. This was exactly what Shri Lal Bahadur Shastri had wanted. The second thing was that we should have mutual economic and trade relations. Can anybody in this House object that when two nations live in such close proximity together, nations which were one not so long ago, they should have mutual economic and trade relations. It cripples both unless economic relations can be so founded that they are able to operate together on matters that effect the entire sub-continent.

Then, Sir, there is the question of minorities in both the countries. There is no doubt that if there are good relations between India and Pakistan, the minorities in both the countries will benefit thereby. As for the minorities from Pakistan who have come to India day after day, night after night, through all these years since partition—we have them in the eastern region—at least for them we can hope for something better. I do agree with my friends who say that the past record of Pakistan has not been good. The Government and the country are well aware of the past record of Pakistan. But always we must hope for better things in the future, and this Tashkent agreement is something which has been arrived at with the hope

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of achieving better things and better conditions in this sub-continent through which these two countries, which are under-developed and which need to go ahead from so many angles, will be able to march forward. It is with that hope that this Tashkent agreement was arrived at. To these matters, I am sure, there can be nobody in this House or in this country who can object.

Then I come to clause (2) which is really the clause on which all the opposition has been voiced in this House. This opposition is due I think to not having a proper understanding of the clause. The clause says that India and Pakistan have agreed that all armed personnel of the two countries shall be withdrawn not later than 25th February to the positions they held prior to 5th August 1965 and both sides shall observe the cease-fire terms and the cease-fire line. As the Law Minister pointed out, the cease-fire line that had obtained before the present conflict was recognized without any question of submitting to concessions regarding sovereignty. Shri Krishna Menon has also very ably put forward arguments on this matter. I do not want to repeat what has already been said. But I do want to point out to those who have opposed this Resolution that they have not laid proper emphasis, or not properly interpreted, the significance of the 5th of August. What has happened on the 5th of August? On that day, armed personnel in disiguise from Pakistan invaded our territory. So, under this agreement all the armed personnel, whether in disguise or not, who have entered our territory have to withdraw.

Then, coming to the point raised about our withdrawal from Kargil, Titwal and Haji Pir, they are no doubt our own areas. Shri Krishna Menon has also emphasised it. So also the land that has passed over to China is our own area. Therefore, the point is that if we in persuance of peace agree to withdraw to the original cease-fire line, it does not mean for one single moment that it weakens our position in respect of our sovereignty over that area, which has been taken away from us by force. So, I do not agree with those who oppose this agreement on that score. I do, however, feel that it is very important for the Government to ensure that the mechanism of withdrawal functions in such a way that it is simultaneous; that is to say, the infiltrators or the armed personnel in disguise in Kashmir are turned out along with our receding from certain positions which we have held after the conflict which was not of our seeking. I am sure, Government would apply their mind to this aspect, but we cannot expect the Government or the defence forces to inform us what precautions they have taken.

As the time at my disposal is so short, I cannot deal with some other problems which I wanted to refer. But I will certainly refer to one thing. One of the clauses of the agreement says that both countries will do their best to discourage propaganda against each other and will encourage propaganda which promotes the development of friendly relations. So far as India is concerned, we are agreeable to it. I am quite sure that this House will be endorsing this declaration and as such it is up to us to see to it that on our side we do not violate this provision But I do not know what Pakistan will do. Though it is beyond our control, it is to be hoped that Pakistan, which has learnt a bitter lesson after its attempted invasion of India will also realise that peace is as important to Pakistan and its people as it is to India and its people. The people of India and Pakistan are of the same race. Many of us speak the same language. If we can create an atmosphere in which we can live in peace and amity and our countries march ahead towards the road of progress I am sure that the Tashkent

Declaration through which we reached such an agreement will also be the fore-runner of many such agreements the world over, in the pursuit of peace.

Shri A. C. Guha (Barasat): Mr. Deputy-Speaker, Sir, it will be difficult to discuss the Tashkent agreement without referring to the tragic death of the Prime Minister for whom within a very short time the whole nation developed great devotion, regard, respect and even love. But it will not be proper for us to discuss this document with that emotional aspect even out of our reverence for his memory. We should discuss this document on its own merits and not out of any sentimental approach due to the tragic death of the signatory of this document, on behalf of India.

I do not think it is the claim of the Government that this document or this agreement has solved all problems with Pakistan; perhaps, it has not solved any problem except the problem of confrontation and a sort of diplomatic and communicational impasse in the relations between India and Pakistan. It has only paved the way of solving the problems and that is a great achievement.

Shri Dwivedy had been repeatedly asking, what is the guarantee that Pakistan will not violate these conditions. Nowhere in the world in any peace treaty can there be any sure gurantee that terms of the peace treaty will be respected by the other party. In the First World War Germany was miserably defeated, even then within two decades she started another world war. So, there is no guarantee that Panistan will not violate these conditions or the terms of this agreement. I can say even, from the record of performance of Pakistan regarding the other agreements, particularly the Nehru-Liaquat Ali Agreement, that there may be a suspicion that Pakistan will not observe the conditions of this agreement in the proper spirit; but there are certain considerations from which we may expect that Pakistan may be in a better mood. Pakistan has exhausted all the means to get her ways particularly regarding Kashmir and to spite India. Thrice she attacked India. She wooed NATO, SEATO and other military alliances; but her military friends could not help her either in the battlefield or in the discussion chamber of the Security Council. Then, at the same time, while she was aligning with the USA and the UK, she was also toying with China, and this was a dangerous thing she entertained simply beause she expected that China would help her in her fight against India. There also she has been disappointed. China was not of much help to her in the last skirmishes between India and Pakistan.

Those who have been opposing this agreement, I do not know what they want. Do they want this sort of stalemate in the relation of India and Pakistan to continue? The Tashkent Agreement has done nothing more than what was put in the Security Council's Resolution of 22nd September. I wonder why the Security Council or the important members of the UNO—the USA and the UK—did not pursue the question of the implementation of the terms of the Security Council's resolution. It may be they did not want it. That resolution says many things and the cease-fire was only the first step. Then, withdrawal of forces, restoring normal conditions, peaceful relations—all these things—were to follow; but, during the following few months the Security Council did not take up the issue at all, rather, I should say, they allowed things to drift. On our side, we have just now been told, we lodged complaints of about 1,700 violations of the cease-fire and Pakistan also might have lodged more or less a similar number of violations against us. While the Security Council was sleeping over this document and did not try to come to the logical conclusion of their resolution, if somebody else took it up, we should, not only from our own national point of view

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but even as belonging to the comity of nations, be grateful to the USSR for taking up this ardous task ot bringing two countries, India and Pakistan, together.

In the event of failure of coming to any agreement, as has been done by the Tashkent declaration, what is the alternative? I do not know if my friends sitting on that side want that the war prisoners should continue to be detained in the two countries. I do not know if they want that several lakhs of residents who have been evicted from their home-lands, from both countries, will continue to live in camps in a miserable state of life. I do not know if they want that no normal communication, no diplomatic relations, no trade and commerce should be re-established between the two countries.

In this connection, I would like this House to realise that India and Pakistan are not simply two neighbours. China is also a neighbour of India; Burma is also a neighbour of India; Afghanistan is also a neighbour of India and Ceylon is also a neighbour of India. But Pakistan is not merely a neighbour of India. It is a portion of our own country. Here, I would like to refer to the Resolution passed by the All India Congress Committee in July, 1947 while endorsing the proposal of the British Cabinet regarding the partition of India. The Resolution says:

> "....the long course of India's history and tradition bear witness to this essential unity. Geography and the mountains and the seas fashioned India as she is and no human agency can change that shape or come in the way of her final destiny. Economic circumstances and the insistent demands of international affairs make the unity of India still more necessary. The picture of India we have learnt to cherish will remain in our minds and hearts. The AICC earnestly trusts that when present passions have subsided, India's problems will be viewed in their proper perspective and the false doctrine of two nations in India will be discredited and discarded by all."

Today it may sound somewhat a forgotten and forlorn hope but those who participated in the deliberations and in the passing of this Resolution do still entertain that some day there may be some good relations established between India and Pakistan. That is the thing which is essential for the prosperity and peace of the two countries.

I do not like to refer to economic matters so much. But still it has to be considered by how much our exchequer has been affected because of Indo-Pakistan conflict. I think the Finance Minister or the Defence Minister may be in a position to give a correct figure. But the general view is that it is about Rs. 500 crores. Can we afford to continue this sort of expanditure? It is no use being guided simply by enthusiasm. We have to realise the realities. We have to proceed on the basis of the realities. It is not possible for India or even for Pakistan to have a long-drawn-out war or even an atmosphere of confrontation and tension continuing even after the signing of this document.

Apart from the relaxation of this confrontation and tension, one great achievement of this document is that a cleavage is likely to be created or, perhaps, has been created in the Pakistan-China axis. That is not only a good thing for India but, I think, that is a boon for the whole world. China is gradually being isolated and this isolation of China from Pakistan is definitely a good thing for the entire international politics and also for India.

Shri S. N. Dwivedy was referring to some preparations made by China or a major attack on India. Does he think that if there is a major attack apprehended from China, can we afford to have also inimical relations or this

sort of hostile relations with Pakistan? Will it strengthen our hands to fight China? No. Even for fighting China, we require some good relations with Pakistan and from this document we expect that some good relations will be established; because Pakistan has now realised—we expect that she has now realised it—that she has failed to achieve what she wants, even though she has now exhausted all her resources by her three attacks on India and through her diplomatic channels, through the U.S.A., the U.K. and the SEATO and the NATO and also through friendships and alliance with China. Now, she may feel that it is not possible to get what she wants about Kashmir by all these tactics. That is why we expect that she may now be in a better mood. Further, we should realise the bonds between India and Pakistan. There are many split families on this side as well as on the other side. What are the positions so long? Any letter from Calcutta to Dacca will have to be surreptitiously sent via London or Rangoon or Washington. Similarly, any letter from a friend or relative from Delhi to Lahore will have to be sent surreptitiously in another cover through some other foreign metropolitan towns. Is this the relation which we can afford to continue to have with Pakistan?

From all these points of view, I think this is the right sort of agreement that has been arrived at. Some points have been mentioned about the strategic positions, that we are going to surrender. Pakistan also will surrender some of the strategic points. Maybe, our surrender is somewhat more than what Pakistan will surrender. But I hope the Indian Army, which has shown its mettle and courage in this conflict of six weeks, will be able to defend India in any future conflict also. Pakistan has come to realise that it is not possible to make India yield by threat of war. The Indian Army has been strong enough and will, in future also, be strong enough to defend our borders.

Shri Tridib Kumar Chaudhuri (Behrampur): Mr. Deputy-Speaker, in this House today on the discussion on Tashkent Declaration, we have heard sharply divided opinions expressed. Speaking for myself and my group, we accord to this Tashkent Declaration our support and welcome it with reservations.

I welcome it primarily for the reason that any lessening of tensions on our borders give the common people of the country an opportunity to concentrate on their economic problems. We know to what acute pass our economic situation has come after discussing the Kerala food situation only yesterday. The common people are clearly at a disadvantage when the country is surcharged with chauvinistic emotions, nationalistic emotions, and any tension between India and Pakistan inevitably takes on a communal and chauvinistic character not only on the other side of the border but also in this country.

The second reason for which I accord welcome to the Tashkent Declaration is that this is the first major diplomatic watershed in Asian affairs. This is the first time that two major Asian nations have come to an agreement about their own disputes without interference from western imperialist powers. We have to take a calculated risk and find out how far this Declaration accord takes us towards the solution of our outstanding disputes peacefully.

The third reason for which I accord welcome to this Tashkent Declaration lies in the fact that this Declaration, as we find from newspaper reports, is being opposed only by extremely communal and chauvinist elements on the other side of the border and myabe, by some on this side of the border also. That means by and large that the people in both the countries feel that a way has been opened for the development of peaceful relations between the common peoples of

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the two countries, while the communal reactionaries in both countries would oppose it. I am all for peace between the two peoples and two communities.

But having said that, and having accorded my support, I feel I would be failing in my duty if I do not mention some of the serious reservations that I have about this accord. Here, in the paper that was circulated by the Ministry of External Affairs and also from the speeches made from the other side in support of the Tashkent accord, we find that an attempt has been made to identify the Tashkent Declaration about the so-called renunciation of force with some kind of no-war-declaration. In order to understand the real value of this so-called renunciation of force in the settlement of disputes by Pakistan, we have to look to what the Pakistan authorities, not merely communal opposition parties but the spokesmen of the Pakistan Government, and President Ayub, particularly and Mr. Bhutto, the Foreign Minister of Pakistan, have been saying about this accord.

I am quoting from a speech of Mr. Bhutto, which he made only a few days back. The report is as follows:

> "Referring to the provisions of the Tashkent Declaration for renunciation of force under the UN Charter Mr. Bhutto said that article 51 recognised the ultimate right of a nation to wage struggle for freedom. and added 'It is precisely in this context that in the Tashkent Declaration we have reaffirmed our obligations under the Charter. The fact that we were unable to arrive immediately at a settlement at Tashkent . . .'

—he was referring to the settlement on Kashmir—

> "....does not detract one iota from our resolve to seek a just settlement under this very declaration or even outside its framework.'.".

So, let not our Government lull themselves with the idea that they have achieved some kind of a no-war-pact with Pakistan in terms of this declaration. If we are to believe Mr. Bhutto, and Mr. Bhutto speaks not only for himself but also for his Government, he says very categorically that the Pakistan Government does not feel itself obliged to seek a peaceful solution of the Kashmir dispute with the framework of this declaration if they get what they want within the framework of the Tashkent accord, well and good; if not, they will go outside it, and if necessary, they will go to war. President Ayub made it very clear in his opening speech at Tashkent when he said:

> "A no-war agreement between nations can work only if it is adopted after taking concrete steps for resolving disputes which divide them.".

After the Tashkent Declaration, he said in Pakistan in a broadcast to his own people that 'the Prime Minister of India wanted us to sign a no-war declaration, but we did not deliberately sign a no-war declaration'. That means, he has reserved his right to resort to war, resort to arms, when they feel that the time appropriate for that has come.

In assessing the value of any international accord or agreement, we should not be guided by wishful thinking or led away by the fact, in this case, that the Soviet Union has supported this accord. Not only the Soviet Union, but apparently at least the US and even Great Britain and other countries have lent their support to this accord. They have however had nothing to say as yet about the interpretation that is being put officially by Pakistan on this accord which leaves the door clearly open for resort to arms to Pakistan when it considers the time appropriate to

do so. That is why I would urge upon Government the necessary of interpreting this accord not according to their own wishful thinking, nor on the basis of the starry-eyed idealism of some of our friends here, but to be very realistic in assessing what we have achieved by this Declaration.

So far as the question of infiltrators is concerned, there also we find the position highly unsatisfactory. Within a few hours of the signing of the declaration, the Pakistan Foreign Secretary said that the clause about non-interference in each other's interal affairs does not apply to Kashmir. That means that Pakistan feels even after signing this declaration it would be free to interfare in Kashmir.

Shri Bade: They have said that 'armed personnel' does not include infiltrators.

Shri Tridib Kumar Chaudhuri: Yes.

But so far as this problem is concerned, we need not depend upon the good offices of Pakistan. If there are infiltrators, we can deal with them as best as we can and shoot them down.

So far as non-interference is concerned, I find the clause as interpreted or understood by official spokesmen of Pakistan to be absolutely unsatisfactory. In this background, let us not put very high hopes on this declaration but take it at face value for what it is worth. It has already led to a certain visible lessening of tension, and we welcome that, but at the same time, we must also tell the Government to take the House and the country into their confidence and to tell us frankly what is really in the back of their minds. Immediately after the signing of the Tashkent declaration, there were talks about division of Kashmir. No Member has referred to that fact, but it is on record, it has been reported by newspapers, that one member of the new Government, a Cabinet Minister, and if I may say so, a very senior member of this Government and of the previous governments....

Shri Bade: Minister and Deputy Minister, both.

Shri Tridib Kumar Chaudhuri: The Deputy does not add to his strength.

Shri Jagjivan Ram has made a speech in which he has advocated the partition of Kashmir along the cease-fire line. I would not personally mind if on the basis of that there is a final solution, once for all, of this question, which has vitiated not only the relations between the two countries, but also, due to historical reasons, the relations between different sections of our people, between different communities, internally also. But the Government must say openly whether the views that were expressed by Shri Jagjivan Ram represent the views of the Government, or whether the Government is thinking in terms of finding a solution, a peaceful solution of the Kashmir question, in terms of a partition. Otherwise, the misgivings that have been raised in the minds of the people will not be set at rest, and continual agitation will go on not only about withdrawal from Haji Pir and Tithwal, but the very intentions of the Governments and the *bona fides* of the Government would come to be questioned.

An Hon. Member: The Government should categorically deny it.

Shri Bakar Ali Mirza (Warrangal): I rise to support and approve the Tashkent agreement.

There has been a lot of criticism from the Opposition benches about this agreement. Shri Trivedi especially pointed out that after 18 years of disharmony, of hatred campaign and all that, it is not possible overnight to change the atmosphere. We have to keep that in mind while we are judging the agreement, because with that campaign of hatred prevailing in both the countries it was very difficult to come to any agreement at all. Yet, in

spite of these conditions, this agreement has come into being.

There has been criticism, but one has suggested what they would have liked instead. Is there any other form of agreement they propose, or do they want the war to continue till there is abject surrender of Pakistan? Let them be quite clear in their minds, because today war is a discarded theory, war does not solve any problems.

In the West you see Gt. Britain with all its political maturity searching for a negotiating table on Rhodesia; in the East in Viet Nam, you see the USA with all its armed might and influence, in the world, also, searching for a negotiating table to come to some kind of negotiation. Here two countries which have been carrying on a campaign of hatred for the last 18 years sit together and after a week of serious effort, have come to some agreement which is honourable to both sides. Here we come and pick holes. It is very easy to pick holes in any agreement. Thirdly they have been quoting from what Mr. Bhutto said here or what Mr. Ayub said there. We have also to recognise, as there is opposition in this country to the handling over of Kargil, Hajipir pass, etc., there is also opposition in Pakistan to the Tashkent agreement, in fact much more than in India because Pakistan has lost a great deal more. In fact the whole of her political philosophy has been absolutely shattered by this agreement. They recognise the principle of co-existence. After all co-existence means non-interference in each other's affairs. Pakistan has recognised the principle of Co-existence. Pakistan also indirectly agreed to a no-war pact which Pandit Nehru has been trying for the last sixteen years of his life?

Shri Bade: Why not directly?

Shri Bakar Ali Mirza: You must remember the parties that you are dealing with. You have to remember also the basis, the conditions in the country, in Pakistan. Pakistan has been raised to a pitch and the whole foreign policy of Pakistan was based on the hatred of India. To turn it suddenly into love, affection, brotherhood overnight is not practical politics. Therefore, whatever Bhutto says in Pakistan may be largely for their domestic consumption. We have to make allowance for that. Take even England after the Versailles Treaty. There was a hue and cry for hanging Kaiser, and the Government in public speeches said: we will hang Kaiser. But Kaiser was not hanged.... (*Interruptions.*) Similarly, you have to make some concessions to the public feeling that is around you. What is it that we have gained by this agreement? First, Kashmir plebiscite has been put in cold storage. Whatever Ayub may say, according to the agreement Kashmir is recognised to be an integral territory of India. They may hold a different view but they are not putting forward plebiscite as they did a few years ago in the United Nations, Security Council and so on. Foreign intervention by these infiltrators has also been eliminated. The use of force has been ruled out for settling disputes. It is not an ordinary matter for after all we have to remember that there was a territorial dispute between Mexico and the United States; after a hundred years it was settled only the other day. So, once you have peaceful negotiations of a dispute, then there is time to think, to revise and so on. Most important of all, it has given a chance for national integration and unity among both the communities of the country. This is very important. I say this because in this country there has been talk about Pakistani spies; there have been communal feelings and communal forces in Kashmir and so on. But when the opportunity came, when there was the conflict between Pakistan and India, what was it that made the whole country united and rise like one man? Suddenly it did not spring from somewhere. It must have been existing

there or it must have been created by some force which had not been recognised. Sir, I personally feel that it is the martyrdom of Mahatma Gandhi that established the unity of India.

18 hrs.

Also, when we are examining the agreement, we have also to take into consideration the author of that agreement. You cannot dissociate this. An agreement signed by me has not the same value as an agreement signed by you. There is a difference. The signatory also is an important part of an agreement. Shastriji during his last days tried his utmost, and in the brief period that he was leading our caravan, we were made to feel in the march the echo of the footsteps of Gandhiji, the long-forgotten one. I personally believe that just as the martyrdom of Gandhiji brought about unity in this country, similarly, the martyrdom and the sacrifice of Shastriji might one day unite the two parts of the country which, by our sins, we had agreed to partition.

Mr. Deputy-Speaker: The hon. Member's time is up.

Shri Bakar Ali Mirza: Still there is up.

Mr. Deputy-Speaker: Now it is 6 O'clock, and the hon. Member's time is also up.

Shri Bakar Ali Mirza: I can speak tomorrow, Sir.

Mr. Deputy-Speaker: All right, he may continue his speech tomorrow.

18.02 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, February, 17, 1965/Magha 28, 1887 (Saka).

GMGIPND—LS II—2400 (Ai) LS—21-3-66- 9.(